

109TH CONGRESS  
1ST SESSION

# H. R. 1133

To advance and strengthen democracy globally through peaceful means and to assist foreign countries to implement democratic forms of government, to strengthen respect for individual freedom, religious freedom, and human rights in foreign countries through increased United States advocacy, to strengthen alliances of democratic countries, to increase funding for programs of nongovernmental organizations, individuals, and private groups that promote democracy, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2005

Mr. WOLF (for himself, Mr. LANTOS, Mr. SMITH of New Jersey, and Mr. PAYNE) introduced the following bill; which was referred to the Committee on International Relations

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## A BILL

To advance and strengthen democracy globally through peaceful means and to assist foreign countries to implement democratic forms of government, to strengthen respect for individual freedom, religious freedom, and human rights in foreign countries through increased United States advocacy, to strengthen alliances of democratic countries, to increase funding for programs of nongovernmental organizations, individuals, and private groups that promote democracy, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
 3 “Advance Democratic Values, Address Nondemocratic  
 4 Countries, and Enhance Democracy Act of 2005” or the  
 5 “ADVANCE Democracy Act of 2005”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
 7 this Act is as follows:

Sec. 1. Short title; table of contents.  
 Sec. 2. Findings.  
 Sec. 3. Statement of policy.  
 Sec. 4. Definitions.

**TITLE I—DEPARTMENT OF STATE ACTIVITIES**

Sec. 101. Promotion of democracy in foreign countries.  
 Sec. 102. Reports.  
 Sec. 103. Translation of annual Department of State reports.  
 Sec. 104. Strategies to enhance the promotion of democracy in foreign countries.  
 Sec. 105. Activities by the United States to promote democracy and human rights in foreign countries.  
 Sec. 106. Democracy Promotion and Human Rights Advisory Board.  
 Sec. 107. Establishment and maintenance of Internet site for global democracy and human rights.  
 Sec. 108. Programs by United States missions in foreign countries and activities of chiefs of mission.  
 Sec. 109. Training for Foreign Service officers.  
 Sec. 110. Performance pay; promotions; Foreign Service awards.  
 Sec. 111. Appointments.

**TITLE II—ALLIANCES WITH OTHER DEMOCRATIC COUNTRIES**

Sec. 201. Alliances with other democratic countries.  
 Sec. 202. Sense of Congress regarding the establishment of a Democracy Caucus.  
 Sec. 203. Annual diplomatic missions on multilateral issues.  
 Sec. 204. Strengthening the Community of Democracies.  
 Sec. 205. Funding for nongovernmental organizations supporting a Community of Democracies.  
 Sec. 206. Reports.

**TITLE III—FUNDING FOR PROMOTION OF DEMOCRACY**

Sec. 301. Policy.  
 Sec. 302. Human Rights and Democracy Fund.

**TITLE IV—SUPPORT FOR SPECIAL AND REGIONAL INITIATIVES**

Sec. 401. Findings.

Sec. 402. Sense of Congress regarding support for regional initiatives.

#### TITLE V—PRESIDENTIAL ACTIONS

Sec. 501. Description of Presidential actions.

Sec. 502. Investigation of violations of international humanitarian law.

Sec. 503. Presidential communications.

#### TITLE VI—NATIONAL SECURITY COUNCIL

Sec. 601. Special Assistant on Nondemocratic Countries.

### 1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) All human beings are created equal and  
 4 possess certain rights and freedoms, including the  
 5 fundamental right to participate in the political life  
 6 and government of their respective countries. These  
 7 inalienable rights are recognized in the Declaration  
 8 of Independence of the United States and in the  
 9 Universal Declaration of Human Rights of the  
 10 United Nations.

11 (2) Political legitimacy derives from the consent  
 12 of the governed, whether expressed directly or  
 13 through representatives chosen by free, fair, and  
 14 open elections.

15 (3) In his Inaugural Address and State of the  
 16 Union Address, President George W. Bush upheld  
 17 the pursuit of freedom as the driving ideal of the  
 18 foreign policy of the United States and made clear  
 19 that the best way to defend freedom is to spread lib-

erty to the places where tyranny thrives, opportunity is stifled, and terrorism grows.

(4) The right to democracy was affirmed as a human right by the United Nations Commission on Human Rights on April 27, 1999, by a vote of 50–0 with only two abstentions. The resolution recognized that democracy is based on free, fair, and open elections, a foundation of open and transparent civil institutions, an independent judiciary, the rule of law, a free press, the right of peaceful assembly, the freedom of religion, and the right of every citizen to participate fully in the political life of the citizen’s country.

(5) Over the past three decades, the number of fully democratic countries has more than doubled to 89 from 41, while the number of countries governed by a dictator or a totalitarian government decreased by 37 percent, often as a result of nonviolent resistance by the peoples of such countries, aided by support from democratic countries.

(6) According to the annual Freedom in the World report published by Freedom House (an annual comparative assessment of the state of political rights and civil liberties in 192 countries and 18 related and disputed territories), 75 percent of the

1 population of the world currently lives in countries  
2 categorized as “entirely free” or “partly free”, as  
3 opposed to only 57 percent in 1973.

4 (7) These changes have been achieved in part  
5 through sustained and comprehensive efforts by  
6 democratic countries, including the United States  
7 and the democratic countries of Europe, to support  
8 dissidents and democracy activists in non-democratic  
9 countries.

10 (8) The continued lack of democracy, freedom,  
11 and fundamental human rights in some countries is  
12 inconsistent with the universal values on which the  
13 United States is based, the promotion of which com-  
14 prises a fundamental element of United States for-  
15 eign policy.

16 (9) The continued lack of democracy, freedom,  
17 and fundamental human rights in some countries  
18 also poses a security threat to the United States, its  
19 interests, and its friends, as it is in such countries  
20 that radicalism, extremism, and terrorism can flour-  
21 ish.

22 (10) There is a correlation between nondemo-  
23 cratic rule and other threats to international peace  
24 and security, including war, genocide, famine, pov-  
25 erty, drug trafficking, corruption, refugee flows,

1 human trafficking, religious persecution, environ-  
2 mental degradation, and discrimination against  
3 women.

4 (11) Wars between or among democratic coun-  
5 tries are exceedingly rare, while wars between and  
6 among nondemocratic countries are commonplace,  
7 with nearly 170,000,000 people having lost their  
8 lives because of the policies of totalitarian govern-  
9 ments.

10 (12) There is a strong correlation between non-  
11 democratic rule and famine.

12 (13) Seventy-seven percent of refugees in the  
13 world come from countries that lack electoral democ-  
14 racy.

15 (14) In nondemocratic countries, women are  
16 often exposed to particular hardships and a lack of  
17 opportunity, and trafficking in women and children  
18 often flourishes.

19 (15) There is a positive correlation between eco-  
20 nomic and political freedom and preservation of the  
21 environment.

22 (16) A world that fully reflects fundamental  
23 human and political rights would be free of dictator-  
24 ship. Such a world would be profoundly safer and  
25 more just, peaceful, prosperous, and stable. Coun-

1       tries that lack freedom and democracy necessarily  
2       limit the full flourishing of human potential and, as  
3       such, a goal of United States foreign policy is to  
4       promote universal democracy.

5           (17) The transition to democracy must be led  
6       from within nondemocratic countries and by nation-  
7       als of such countries who live abroad. Nevertheless,  
8       democratic countries have a number of instruments  
9       available for supporting democratic reformers who  
10      are committed to promoting effective, nonviolent  
11      change in nondemocratic countries.

12          (18) United States efforts to promote democ-  
13      racy in countries where it is lacking can be strength-  
14      ened. A full evaluation of United States funds ex-  
15      pended for the support of democracy is necessary to  
16      ensure an efficient and effective use of such funds.

17          (19) In 2002, Congress passed the Freedom In-  
18      vestment Act of 2002 (subtitle E of title VI of divi-  
19      sion A of the Foreign Relations Authorization Act,  
20      Fiscal Year 2003) to increase the focus on pro-  
21      moting human rights and democracy as an element  
22      of United States foreign policy.

23          (20) United States ambassadors and diplomats  
24      can play a critical role in the effort to promote de-  
25      mocracy by publicly demonstrating support for

1 democratic principles, by discussing democratic, so-  
2 cial, and economic freedoms with citizens and lead-  
3 ers of non-democratic countries, and by building re-  
4 lationships with citizens that promote democratic  
5 principles, practices, and values. United States mis-  
6 sions in non-democratic countries are potential “is-  
7 lands of freedom” in such countries. Training and  
8 incentives are needed to assist United States offi-  
9 cials in strengthening the techniques and skills re-  
10 quired to promote democracy.

11 (21) Nongovernmental organizations and pri-  
12 vate individuals and movements also play a vital role  
13 in promoting democracy, and the United States  
14 must expand its support of such organizations, indi-  
15 viduals, and movements.

16 (22) The promotion of democracy requires a  
17 broad-based effort with collaboration between all  
18 democratic countries. One forum for advancing this  
19 effort is the Community of Democracies, which first  
20 met in Warsaw, Poland, in June 2000, and which is  
21 scheduled to meet in 2005 in Santiago, Chile.

22 (23) The promotion of such universal democ-  
23 racy constitutes a long-term challenge that does not  
24 always lead to an immediate transition to full de-  
25 mocracy, but universal democracy is achievable.



1 **SEC. 3. STATEMENT OF POLICY.**

2 It shall be the policy of the United States —

3 (1) to promote freedom and democracy in for-  
4 eign countries as a fundamental component of  
5 United States foreign policy;

6 (2) to affirm fundamental freedoms and human  
7 rights in foreign countries and to condemn offenses  
8 against those freedoms and rights as a fundamental  
9 component of United States foreign policy;

10 (3) to use all instruments of United States in-  
11 fluence to support, promote, and strengthen demo-  
12 cratic principles, practices, and values in foreign  
13 countries, including the right to free, fair, and open  
14 elections, secret balloting, and universal suffrage;

15 (4) to protect and promote fundamental polit-  
16 ical, social, and economic freedoms and rights, in-  
17 cluding the freedom of association, of expression, of  
18 the press, and of religion, and the right to own pri-  
19 vate property;

20 (5) to protect and promote respect for and ad-  
21 herence to the rule of law in foreign countries;

22 (6) to provide appropriate support to organiza-  
23 tions, individuals, and movements located in non-  
24 democratic countries that aspire to live in freedom  
25 and establish full democracy in such countries;

1           (7) to provide, political, economic, and other  
2           support to foreign countries that are willingly under-  
3           taking a transition to democracy;

4           (8) to commit United States foreign policy to  
5           the long-term challenge of promoting universal de-  
6           mocracy; and

7           (9) to strengthen alliances and relationships  
8           with other democratic countries in order to better  
9           promote and defend shared values and ideals.

10 **SEC. 4. DEFINITIONS.**

11       In this Act:

12           (1) ANNUAL REPORT ON DEMOCRACY.—The  
13           term “Annual Report on Democracy” means the An-  
14           nual Report on Democracy required under section  
15           102(b).

16           (2) ANNUAL REPORT ON THE STATUS OF  
17           DEMOCRATIC ALLIANCES OF THE UNITED STATES.—  
18           The term “Annual Report on the Status of Demo-  
19           cratic Alliances of the United States” means the An-  
20           nual Report on the Status of Democratic Alliances  
21           of the United States required under section 206(a).

22           (3) APPROPRIATE CONGRESSIONAL COMMIT-  
23           TEES.—The term “appropriate congressional com-  
24           mittees” means—

1 (A) the Committee on International Rela-  
2 tions of the House of Representatives; and

3 (B) the Committee on Foreign Relations of  
4 the Senate.

5 (4) COMMUNITY OF DEMOCRACIES AND COMMU-  
6 NITY.—The terms “Community of Democracies”  
7 and “Community” mean the association of demo-  
8 cratic countries committed to the global promotion  
9 of democratic principles, practices, and values, which  
10 held its First Ministerial Conference in Warsaw, Po-  
11 land, in June 2000.

12 (5) DEPARTMENT.—The term “Department”  
13 means the Department of State.

14 (6) ELIGIBLE ENTITY.—The term “eligible enti-  
15 ty” means any nongovernmental organization, inter-  
16 national organization, multilateral institution, pri-  
17 vate foundation, corporation, partnership, associa-  
18 tion, or other entity, organization, or group engaged  
19 in (or with plans to engage in) the promotion of de-  
20 mocracy and fundamental rights and freedoms in  
21 foreign countries categorized as “partly democratic”  
22 or “nondemocratic” in the most recent Annual Re-  
23 port on Democracy.

24 (7) ELIGIBLE INDIVIDUAL.—The term “eligible  
25 individual” means any individual engaged in, or who

1 intends to engage in, the promotion of democracy  
2 and fundamental rights and freedoms in foreign  
3 countries categorized as “partly democratic” or  
4 “nondemocratic” in the most recent Annual Report  
5 on Democracy.

6 (8) HELSINKI PROCESS.—The term “Helsinki  
7 Process” means the multilateral process adopted at  
8 the Conference on Security and Cooperation in Eu-  
9 rope by member countries of the Organization for  
10 Security and Cooperation in Europe to achieve the  
11 security, economic, and humanitarian goals as  
12 agreed to in the Helsinki Final Act of 1975 of the  
13 Conference on Security and Cooperation in Europe  
14 (1 August 1975), and as reinforced in subsequent  
15 agreements, including the Vienna Concluding Docu-  
16 ment of 1983 of the Conference on Security and Co-  
17 operation in Europe (15 January 1983), the Madrid  
18 Concluding Document of 1983 of the Conference on  
19 Security and Cooperation in Europe (6 September  
20 1983), and the Copenhagen Document of 1990 on  
21 the Human Dimension of the Conference on Secu-  
22 rity and Cooperation in Europe (29 June 1990).

23 (9) INTERNATIONAL FINANCIAL INSTITU-  
24 TION.—The term “international financial institu-  
25 tion” means the International Bank for Reconstruc-

1 tion and Development, the International Develop-  
2 ment Association, the International Monetary Fund,  
3 the International Finance Corporation, the Inter-  
4 American Development Bank, the African Develop-  
5 ment Bank, the African Development Fund, the  
6 Asian Development Bank, the European Bank for  
7 Reconstruction and Development, and the Multilat-  
8 eral Investment Guarantee Agency.

9 (10) REGIONAL DEMOCRACY HUB AND HUB.—  
10 The terms “Regional Democracy Hub” and “Hub”  
11 mean the Regional Democracy Hubs established  
12 under section 101(d)(2).

13 (11) SECRETARY.—The term “Secretary”  
14 means the Secretary of State.

15 (12) SPECIAL ASSISTANT.—The term “Special  
16 Assistant” means the Special Assistant to the Presi-  
17 dent on Nondemocratic Countries established under  
18 subsection (l) of section 101 of the National Security  
19 Act of 1947 (50 U.S.C. 402), as added by section  
20 601 of this Act.

21 (13) UNDER SECRETARY.—The term “Under  
22 Secretary” means the Under Secretary of State for  
23 Global Affairs established under section 1(b) of the  
24 State Department Basic Authorities Act of 1956 (22

1 U.S.C. 2651a(b)), as amended by section 101(a)(2)  
2 of this Act.

3 **TITLE I—DEPARTMENT OF**  
4 **STATE ACTIVITIES**

5 **SEC. 101. PROMOTION OF DEMOCRACY IN FOREIGN COUN-**  
6 **TRIES.**

7 (a) CODIFICATION OF UNDER SECRETARY OF STATE  
8 FOR GLOBAL AFFAIRS.—Section 1(b) of the State Depart-  
9 ment Basic Authorities Act of 1956 (22 U.S.C. 2651a(b))  
10 is amended—

11 (1) by redesignating paragraph (4) as para-  
12 graph (5); and

13 (2) by inserting after paragraph (3) the fol-  
14 lowing new paragraph:

15 “(4) UNDER SECRETARY OF STATE FOR GLOB-  
16 AL AFFAIRS.—There shall be in the Department of  
17 State, among the Under Secretaries authorized by  
18 paragraph (1), an Under Secretary of State for  
19 Global Affairs, who shall have primary responsibility  
20 to assist the Secretary and the Deputy Secretary in  
21 the formulation and implementation of United  
22 States policies and activities relating to the transi-  
23 tion to and development of democracy in nondemo-  
24 cratic countries and to coordinate United States pol-  
25 icy on global issues, including issues related to

1 human rights, women’s rights, freedom of religion,  
2 labor standards and relations, the preservation of  
3 the global environment, the status and protection of  
4 the oceans, scientific cooperation, narcotics control,  
5 law enforcement, population issues, refugees, migra-  
6 tion, war crimes, and trafficking in persons. The  
7 Secretary may assign such other responsibilities to  
8 the Under Secretary for Global Affairs as the Sec-  
9 retary determines appropriate or necessary. In par-  
10 ticular, the Under Secretary for Global Affairs shall  
11 have the following responsibilities:

12 “(A) Promoting democracy and funda-  
13 mental rights and freedoms in foreign coun-  
14 tries, condemning violations of the right of an  
15 individual to participate in the government and  
16 political life of the country of the individual, ei-  
17 ther directly or through representatives chosen  
18 in free, fair, and open elections, and recom-  
19 mending appropriate actions to be undertaken  
20 by the United States whenever such right is vio-  
21 lated or is in danger of being violated.

22 “(B) Coordinating with the Under Sec-  
23 retary for Public Diplomacy and Public Affairs  
24 and employees and officers from the regional  
25 bureaus of the Department of State to—

1 “(i) promote the transition to and de-  
2 velopment of democracy in nondemocratic  
3 countries; and

4 “(ii) promote and strengthen the de-  
5 velopment of democracy in countries that  
6 are in transition to democracy.

7 “(C) Developing, in consultation with other  
8 appropriate executive agencies having programs  
9 and responsibilities related to democracy pro-  
10 motion, a strategic plan to promote transition  
11 to and development of democracy in nondemo-  
12 cratic countries and overseeing implementation  
13 of the plan through an appropriate interagency  
14 process.

15 “(D) Advising the Secretary regarding any  
16 recommendation requested by any official of  
17 any other agency that relates to the human  
18 rights situation in a foreign country or the ef-  
19 fects on human rights or democracy in a for-  
20 eign country of an agency program of such offi-  
21 cial.

22 “(E) Assisting the Secretary in the prepa-  
23 ration of the reports required under section 102  
24 of the Advance Democratic Values, Address



1           Nondemocratic Countries, and Enhance Democ-  
2           racy Act of 2005.”.

3           (b) ADDITIONAL DUTIES FOR ASSISTANT SEC-  
4   RETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS,  
5   AND LABOR.—Section 1(c)(2) of the State Department  
6   Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)(2)) is  
7   amended—

8           (1) in subparagraph (A), by inserting after the  
9           first sentence the following new sentence: “The As-  
10          sistant Secretary of State for Democracy, Human  
11          Rights, and Labor shall also be responsible to the  
12          Under Secretary of State for Global Affairs for mat-  
13          ters relating to the transition to and development of  
14          democracy in nondemocratic countries, including  
15          promoting and strengthening the development of de-  
16          mocracy in foreign countries that are in the early  
17          stages of a transition to democracy.”;

18          (2) by adding after subparagraph (B) the fol-  
19          lowing new subparagraph:

20               “(C) The Assistant Secretary of State for De-  
21          mocracy, Human Rights, and Labor shall maintain  
22          continuous observation of and review all matters  
23          pertaining to the transition to and promotion and  
24          development of democracy in foreign countries. In

1 particular, the Assistant Secretary shall have the fol-  
2 lowing responsibilities:

3 “(i) Assisting the Under Secretary of State  
4 for Global Affairs in the preparation of the re-  
5 ports required under section 102 of the Ad-  
6 vance Democratic Values, Address Non-Demo-  
7 cratic Countries, and Enhance Democracy Act  
8 of 2005.

9 “(ii) Making recommendations to the  
10 Under Secretary of State for Global Affairs re-  
11 garding the promotion of democracy in foreign  
12 countries, including assisting the Under Sec-  
13 retary to—

14 “(I) promote transition to and devel-  
15 opment of democracy in nondemocratic  
16 countries;

17 “(II) promote and strengthen the de-  
18 velopment of democracy in foreign coun-  
19 tries that are in the early stages of a tran-  
20 sition to democracy; and

21 “(III) support and promote the aca-  
22 demic and intellectual study and discussion  
23 of democracy in democratic, partly demo-  
24 cratic, and nondemocratic countries.

1           “(iii) Gathering detailed information that  
2 furthers—

3           “(I) the identification of foreign coun-  
4 tries that are democracies, the extent to  
5 which democracy is established in such  
6 countries, and the extent to which such  
7 countries are committed to promoting  
8 democratic principles, practices, and val-  
9 ues;

10           “(II) the understanding of the most  
11 effective means of change and methods of  
12 nonviolent action to promote and achieve  
13 transition to democracy in a foreign coun-  
14 try;

15           “(III) the identification of and con-  
16 sultation with nongovernmental organiza-  
17 tions, individuals, and movements that pro-  
18 mote democratic principles, practices, and  
19 values in partly democratic and nondemo-  
20 cratic countries to obtain the views of such  
21 organizations, individuals, and movements  
22 on the approaches that the United States  
23 should take to promote the transition of  
24 the governments of such countries to full  
25 democracies; and

1 “(IV) the documentation of human  
2 rights abuses condoned or encouraged by  
3 leaders of nondemocratic countries, includ-  
4 ing an identification of such leaders.

5 “(iv) Consulting with nongovernmental or-  
6 ganizations, individuals, and movements com-  
7 mitted to the peaceful promotion of democracy,  
8 democratic principles, practices and values, and  
9 fundamental rights and freedoms.

10 “(v) Coordinating United States Govern-  
11 ment assistance to promote democracy abroad,  
12 including designing and coordinating an overall  
13 assistance strategy, pursuing coordination with  
14 other countries and international organizations,  
15 ensuring proper management, implementation,  
16 and oversight by United States agencies, and  
17 resolving policy and program disputes among  
18 such agencies.

19 “(vi) Performing such other responsibilities  
20 which serve to promote and develop democracy  
21 in foreign countries.”.

22 (c) AUTHORIZATION OF APPROPRIATIONS.—In addi-  
23 tion to amounts otherwise authorized, there is authorized  
24 to be appropriated to the Secretary of State \$10,000,000  
25 for fiscal year 2006, and such sums as may be necessary

1 in each fiscal year thereafter, for the hiring of staff and  
2 the conduct of the business of the offices of the Under  
3 Secretary of State for Global Affairs and the Assistant  
4 Secretary of State for Democracy, Human Rights, and  
5 Labor.

6 (d) DEPARTMENT OF STATE AND UNITED STATES  
7 MISSIONS ABROAD.—

8 (1) OFFICE OF DEMOCRATIC MOVEMENTS AND  
9 TRANSITIONS.—

10 (A) ESTABLISHMENT.—There is estab-  
11 lished within the Bureau of Democracy, Human  
12 Rights, and Labor of the Department of State  
13 an Office of Democratic Movements and Tran-  
14 sitions.

15 (B) PURPOSE.—The Office shall promote  
16 transitions to full democracy in countries that  
17 have been designated as nondemocratic or part-  
18 ly democratic in the most recent Annual Report  
19 on Democracy required under section 102(b).

20 (C) DIRECTOR.—The Secretary of State,  
21 after consultation with the Assistant Secretary  
22 of State for Democracy, Human Rights, and  
23 Labor, shall appoint a Director to head the Of-  
24 fice, who shall report to the Assistant Sec-  
25 retary. The individual chosen as Director

1 should possess clearly demonstrated competence  
2 in and commitment to the promotion of democ-  
3 racy, including competence in promoting demo-  
4 cratic principles, practices, values, and ideals  
5 through nonviolent means.

6 (D) RESPONSIBILITIES.—The Director of  
7 the Office shall—

8 (i) develop relations with, consult  
9 with, and provide assistance to nongovern-  
10 mental organizations, individuals, and  
11 movements that are committed to the  
12 peaceful promotion of democracy, demo-  
13 cratic principles, practices, and values, and  
14 fundamental rights and freedoms in coun-  
15 tries described in subparagraph (B);

16 (ii) develop strategies and programs  
17 to promote peaceful change in such coun-  
18 tries;

19 (iii) provide political, financial, and  
20 other support to nongovernmental organi-  
21 zations, individuals, and movements that  
22 promote democratic principles, practices,  
23 and values in such countries, including  
24 providing training in the strategy and tac-  
25 tics of nonviolent change and providing

1 training equipment related to such pur-  
2 pose;

3 (iv) foster relationships between non-  
4 governmental organizations, individuals,  
5 and movements and the United States and  
6 the governments of other democratic coun-  
7 tries, and establish common positions with  
8 other democratic countries and the Com-  
9 munity of Democracies to promote demo-  
10 cratic transitions in countries described in  
11 subparagraph (B);

12 (v) foster dialogue, the extent prac-  
13 ticable, between the leaders of such non-  
14 governmental organizations, individuals,  
15 and movements and the officials of such  
16 countries;

17 (vi) evaluate recommendations by the  
18 Democracy Promotion Advisory Board, es-  
19 tablished under section 106, regarding  
20 strategies to promote democracy in such  
21 countries;

22 (vii) communicate with the leaders  
23 and other senior government officials of  
24 such countries concerning respect for lib-

erty, democracy, and political, social, and economic freedoms;

(viii) communicate with opposition political parties within such countries that support democratic values and respect for human rights;

(ix) create narratives and histories required under section 107(b) for the Internet site for global democracy and human rights and assist in the preparation of the report required under section 102; and

(x) facilitate, in coordination with public affairs officers and offices of the Department of State responsible for public diplomacy programs in such countries, debates and discussions, including among young people in other countries, regarding the values and benefits of democracy and human rights at academic institutions in such countries.

(2) REGIONAL DEMOCRACY HUBS AT UNITED STATES MISSIONS ABROAD.—

(A) ESTABLISHMENT.—

(i) IN GENERAL.—The Secretary shall establish at least one Regional Democracy



1 Hub at one United States mission in each  
2 of the following geographic regions:

3 (I) the Western Hemisphere;

4 (II) Europe;

5 (III) South Asia;

6 (IV) the Near East;

7 (V) East Asia and the Pacific;

8 and

9 (VI) Africa.

10 (ii) DIRECTOR.—Each Regional De-  
11 mocracy Hub shall be headed by a Direc-  
12 tor. The Director and the associated staff  
13 shall be selected by the Secretary of State  
14 in consultation with the Assistant Sec-  
15 retary for Democracy, Human Rights, and  
16 Labor.

17 (B) RESPONSIBILITIES.—Each Regional  
18 Democracy Hub shall support the appropriate  
19 United States ambassador and United States  
20 employees assigned to United States missions in  
21 each such geographic region to carry out the re-  
22 sponsibilities described in this Act, including—

23 (i) assisting the Assistant Secretary  
24 for Democracy, Human Rights, and Labor  
25 and the Under Secretary for Global Affairs

1 to conceive and implement strategies for  
2 transitions to democracy for each non-  
3 democratic country in the geographic re-  
4 gion for which such Hub is responsible, in-  
5 cluding regional strategies as appropriate,  
6 and assisting such United States missions  
7 to prepare the reports required under sec-  
8 tion 102;

9 (ii) helping to design and implement  
10 programs funded by the Human Rights  
11 and Democracy Fund described in section  
12 302, including making proposals directly to  
13 the Assistant Secretary for Democracy,  
14 Human Rights, and Labor regarding the  
15 use of the Fund; and

16 (iii) supporting the implementation of  
17 other requirements of this Act, including  
18 identifying opportunities for United States  
19 officials to speak directly to citizens, par-  
20 ticularly to young people, in such coun-  
21 tries.

22 (C) ACCREDITATION.—As appropriate, the  
23 Department shall seek accreditation for the Di-  
24 rector to all nondemocratic countries in each

1 geographic region for which each Hub is re-  
2 sponsible.

3 (D) TERMINATION.—No earlier than two  
4 years after a geographic region has ceased to  
5 include any nondemocratic or partly democratic  
6 country, the Secretary may terminate the Hub  
7 for such region.

8 (E) AUTHORIZATION OF APPROPRIA-  
9 TIONS.—There are authorized to be appro-  
10 priated to the Secretary such sums as may be  
11 necessary to carry out the responsibilities de-  
12 scribed in subparagraph (B), including hiring  
13 additional staff to carry out such responsibil-  
14 ities.

15 (3) RESPONSIBILITIES OF THE BUREAU OF IN-  
16 TELLIGENCE AND RESEARCH.—The Assistant Sec-  
17 retary for Intelligence and Research shall coordinate  
18 with the Department of the Treasury, the Depart-  
19 ment of Justice, the Central Intelligence Agency,  
20 other appropriate intelligence agencies, and, as ap-  
21 propriate, with foreign governments to—

22 (A) monitor and document financial assets  
23 inside and outside the United States held by  
24 leaders of countries determined to be nondemo-  
25 cratic under section 102;

1 (B) identify close associates of such lead-  
2 ers; and

3 (C) monitor and document financial assets  
4 inside and outside the United States held by  
5 such close associates.

6 (4) COORDINATION.—

7 (A) DEPUTY ASSISTANT SECRETARY OF  
8 STATE FOR DEMOCRACY, HUMAN RIGHTS, AND  
9 LABOR.—There shall be in the Department of  
10 State a Deputy Assistant Secretary of State for  
11 Democracy, Human Rights, and Labor who  
12 shall report to the Assistant Secretary of State  
13 for Democracy, Human Rights, and Labor.  
14 Such Deputy Assistant Secretary shall be in ad-  
15 dition to the current number of such other Dep-  
16 uty Assistant Secretaries so reporting. In addi-  
17 tion to considering qualified noncareer can-  
18 didates, the Secretary of State shall seek to re-  
19 cruit senior members of the Senior Foreign  
20 Service to serve in such position.

21 (B) RESPONSIBILITIES.—In addition to  
22 such other duties as the Secretary or Assistant  
23 Secretary of State for Democracy, Human  
24 Rights, and Labor may from time to time des-  
25 ignate, the Deputy Assistant Secretary of State

1 for Democracy, Human Rights, and Labor  
2 shall—

3 (i) coordinate the work of the Office  
4 of Democratic Movements and Transitions  
5 with the work of other offices and bureaus  
6 at the Department of State;

7 (ii) coordinate the work of the Office  
8 of Democratic Movements and Transitions  
9 with the work of other United States Gov-  
10 ernment agencies;

11 (iii) forge connections between the  
12 United States and nongovernmental orga-  
13 nizations, individuals, and movements com-  
14 mitted to the promotion of democracy and  
15 democratic principles, practices, and val-  
16 ues; and

17 (iv) seek ways to promote and en-  
18 hance the work of nongovernmental organi-  
19 zations, individuals, and movements com-  
20 mitted to the promotion of democracy and  
21 democratic principles, practices, and val-  
22 ues.

23 (5) RECRUITMENT.—The Secretary shall seek  
24 to ensure that no later than December 31, 2012, not  
25 less than 50 percent of the nonadministrative em-

1        ployees serving in the Bureau of Democracy, Human  
2        Rights, and Labor are members of the Foreign Serv-  
3        ice.

4    **SEC. 102. REPORTS.**

5        (a) PORTIONS OF ANNUAL HUMAN RIGHTS RE-  
6    PORTS.—The Under Secretary of State for Global Affairs  
7    shall assist the Secretary of State in the preparation of  
8    those portions of the reports and other information pro-  
9    vided to Congress required under sections 116 and 502B  
10   of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n  
11   and 2304) that relate to freedom and political rights as  
12   set forth in the Universal Declaration of Human Rights.

13        (b) ANNUAL REPORT ON DEMOCRACY.—

14            (1) PREPARATION AND DEADLINE FOR SUBMIS-  
15    SION.—The Secretary of State shall prepare an An-  
16    nual Report on Democracy. The Under Secretary of  
17    State for Global Affairs, with the assistance of the  
18    Assistant Secretary of State for Democracy, Human  
19    Rights, and Labor, shall have the principal responsi-  
20    bility of assisting the Secretary in the preparation of  
21    the Annual Report. The Under Secretary and Assist-  
22    ant Secretary shall consult with the regional bureaus  
23    of the Department of State in the preparation of the  
24    Annual Report. Not later than July 1 of each year,  
25    the Secretary shall submit to the appropriate con-

gressional committees the Annual Report on Democracy.

(2) CONTENTS.—The Annual Report on Democracy shall contain the following:

(A) EXECUTIVE SUMMARY.—An Executive Summary with a table listing every foreign country, together with a categorization of each country as “fully democratic”, “partly democratic”, or “nondemocratic”. The Executive Summary shall contain a short narrative highlighting the status of democracy in each country categorized as partly democratic or non-democratic.

(i) DETERMINATION OF CATEGORIZATION.—With respect to a country listed in the Executive Summary, the Secretary shall determine which of the categorizations specified under subparagraph (A) is appropriate by reference to the principles enshrined in the United Nations Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the United Nations Commission on Human Rights Resolution 1499/57 (entitled “Promotion of the Right

1 to Democracy”), the assessments used to  
2 determine eligibility for financial assistance  
3 disbursed from the Millennium Challenge  
4 Account, the assessments of nongovern-  
5 mental organizations used to determine eli-  
6 gibility to participate in the meetings of  
7 the Community of Democracies, and the  
8 standards established and adopted by the  
9 Community of Democracies. In addition,  
10 the categorization of a country should be  
11 informed by the general consensus regard-  
12 ing the status of civil and political rights  
13 in such country by major nongovernmental  
14 organizations that conduct assessments of  
15 such conditions in such countries.

16 (ii) DETERMINATION OF NONDEMO-  
17 CRATIC CATEGORIZATION.—

18 (I) IN GENERAL.—The Secretary  
19 shall categorize a country as non-  
20 democratic if such country fails to  
21 satisfy any of the following require-  
22 ments:

23 (aa) All citizens of such  
24 county have the right to, and are  
25 not restricted in practice from,



1 fully and freely participating in  
2 the political life of such country  
3 regardless of gender, race, lan-  
4 guage, religion, or beliefs.

5 (bb) The national legislative  
6 body of such country and, if di-  
7 rectly elected, the head of govern-  
8 ment of such country, are chosen  
9 by free, fair, open, and periodic  
10 elections, by universal and equal  
11 suffrage, and by secret ballot.

12 (cc) More than one political  
13 party in such country has can-  
14 didates who seek elected office at  
15 the national level and such par-  
16 ties are not restricted in their po-  
17 litical activities or their process  
18 for selecting such candidates ex-  
19 cept for reasonable administra-  
20 tive requirements commonly ap-  
21 plied in countries categorized as  
22 fully democratic.

23 (dd) All citizens in such  
24 country have a right to, and are  
25 not restricted in practice from,

1 fully exercising the freedoms of  
2 thought, conscience, belief, peace-  
3 ful assembly and association,  
4 speech, opinion, and expression,  
5 and such country has a free,  
6 independent, and pluralistic  
7 media.

8 (ee) The current government  
9 of such country did not come to  
10 power in a manner contrary to  
11 the rule of law.

12 (ff) Such country possesses  
13 an independent judiciary and the  
14 government of such country gen-  
15 erally respects the rule of law.

16 (II) ADDITIONAL CONSIDER-  
17 ATIONS.—Notwithstanding the satis-  
18 faction by a country of the require-  
19 ments specified under subclause (I),  
20 the Secretary may categorize a coun-  
21 try as nondemocratic if the Secretary  
22 determines that such is appropriate  
23 after consideration of the principles  
24 specified under clause (i) with respect  
25 to such country.

1 (B) STATUS OF DEMOCRACY.—A descrip-  
2 tion of each country categorized as partly demo-  
3 cratic or nondemocratic in the Executive Sum-  
4 mary, including—

5 (i) an evaluation of trends over the  
6 preceding 12 months towards improvement  
7 or deterioration in the commitment to and  
8 protection of democratic principles, prac-  
9 tices, values, institutions, and processes in  
10 each such country;

11 (ii) an evaluation of the political  
12 rights and freedoms enjoyed by individuals  
13 in each such country and an evaluation of  
14 the factors that prevent each such country  
15 from being categorized as fully democratic;  
16 and

17 (iii) for each country previously cat-  
18 egorized as nondemocratic in the Executive  
19 Summary from the preceding year, an  
20 evaluation of any progress made over the  
21 previous calendar year towards achieving a  
22 categorization of partly democratic or fully  
23 democratic.

24 (C) STRATEGY FOR NONDEMOCRATIC  
25 COUNTRIES.—An in-depth examination of each

country categorized as nondemocratic in the Executive Summary, including—

(i) a specific action plan developed following consultations with nongovernmental organizations, individuals, and movements that promote democratic principles, practices, and values in each such country to promote and achieve transition to full democracy in each such country, including a summary of actions taken by the United States in furtherance of such goal in the preceding 12 months;

(ii) a summary of any actions taken by the President pursuant to section 501 with respect to any such country, the effects of any such actions, and if no such actions have been taken, a statement explaining why not;

(iii) a summary of any actions taken by the chief of mission and officials of the United States in each such country with which the United States maintains diplomatic and consular posts with respect to promoting such a transition within that country and any activities of the embassy

1 or consulate in that country to support in-  
2 dividuals and organizations in that country  
3 that actively advocate for such a transition;

4 (iv) a summary of efforts taken by of-  
5 ficials of the United States to speak di-  
6 rectly to the people in each country, and in  
7 particular, a description of any visits taken  
8 by the chief of mission and other officials  
9 of the United States in each such country  
10 to the colleges and universities and other  
11 institutions in the country where young  
12 people congregate and learn; and

13 (v) a summary of any communications  
14 between United States Government offi-  
15 cials, including the chief of mission, and  
16 the leader and other high government offi-  
17 cials of each such country concerning re-  
18 spect for liberty, democracy, and political,  
19 social, and economic freedoms.

20 (D) UNITED STATES POLICIES.—A de-  
21 scription of United States actions and policies  
22 aimed at promoting democracy in foreign coun-  
23 tries categorized as partly democratic or non-  
24 democratic, and the extent to which such ac-

1           tions and policies were undertaken in coordina-  
2           tion with other democratic countries.

3           (E) PEACEFUL TRANSFERS OF POLITICAL  
4           POWER.—A description of peaceful transfers of  
5           political power in each country categorized as  
6           partly democratic or nondemocratic in the Ex-  
7           ecutive Summary that have occurred between  
8           rival political entities according to established  
9           rules and without violence.

10          (3) CLASSIFIED ADDENDUM.—If the Secretary  
11          determines that it is in the national security inter-  
12          ests of the United States, is necessary for the safety  
13          of individuals identified in the Annual Report on De-  
14          mocracy, or is necessary to further the purposes of  
15          this Act, any information required by paragraph (2),  
16          including policies adopted or actions taken by the  
17          United States, may be summarized in the Annual  
18          Report on Democracy or the Executive Summary  
19          and submitted to the appropriate congressional com-  
20          mittees in more detail in a classified addendum.

21          (4) PUBLIC DISCLOSURE.—The Executive Sum-  
22          mary shall be made available on the Department of  
23          State Internet site, except for information that is  
24          classified under paragraph (3).

1       (c) ONE-TIME REPORT ON TRAINING AND GUIDE-  
2 LINES FOR FOREIGN SERVICE OFFICERS AND CHIEFS OF  
3 MISSION.—The Secretary of State, in consultation with  
4 the Under Secretary of State for Global Affairs, shall sub-  
5 mit to the appropriate congressional committees a one-  
6 time report containing a description of the training pro-  
7 vided under section 109 for foreign service officers, includ-  
8 ing chiefs of mission serving or preparing to serve in coun-  
9 tries categorized as partly democratic or nondemocratic or  
10 chiefs of mission in fully democratic countries whose job  
11 performance could benefit from such training, with respect  
12 to methods to promote and achieve transition to full de-  
13 mocracy in each such country, including nonviolent action.  
14 The Secretary shall submit the report together with the  
15 first Annual Report on Democracy required under sub-  
16 section (b).

17 **SEC. 103. TRANSLATION OF ANNUAL DEPARTMENT OF**  
18 **STATE REPORTS.**

19       (a) TRANSLATION.—The Secretary of State shall en-  
20 sure that the relevant country specific sections of the re-  
21 ports listed in subsection (b) that relate to a particular  
22 country are translated into the principal languages of such  
23 country and made available in such country.

1 (b) REPORTS.—The relevant country specific sections  
2 of the reports referred to in subsection (a) are the fol-  
3 lowing:

4 (1) Country specific sections of the most recent  
5 Annual Report on Democracy.

6 (2) Country specific sections of the most recent  
7 annual Trafficking in Persons Report prepared by  
8 the Office to Monitor and Combat Trafficking in  
9 Persons of the Department of State.

10 (3) Country specific sections of the most recent  
11 Annual Report on International Religious Freedom  
12 prepared by the Office of International Religious  
13 Freedom in the Bureau of Democracy, Human  
14 Rights, and Labor of the Department of State.

15 (4) Country specific sections of the most recent  
16 annual Country Reports on Human Rights Practices  
17 prepared by the Bureau of Democracy, Human  
18 Rights, and Labor of the Department of State.

19 (c) DATE FOR COMPLETION.—Not later than 120  
20 days after the completion of each report described in sub-  
21 section (a), the Secretary shall ensure the translation of  
22 each such report.

23 (d) AUTHORIZATION OF APPROPRIATIONS.—In addi-  
24 tion to amounts that are otherwise available for the trans-  
25 lation of Department of State reports, there is authorized



1 to be appropriated to the Secretary such sums as may be  
2 necessary to carry out this section.

3 **SEC. 104. STRATEGIES TO ENHANCE THE PROMOTION OF**  
4 **DEMOCRACY IN FOREIGN COUNTRIES.**

5 (a) WORKING GROUP ON NONDEMOCRATIC COUN-  
6 TRIES.—Beginning in the year after the second Annual  
7 Report on Democracy required under section 102(b) is  
8 submitted and not less than once each year thereafter, the  
9 Under Secretary of State for Global Affairs shall convene  
10 a working group under subsection (c) focused on each  
11 country designated as nondemocratic in the most recent  
12 such report in order to—

13 (1) review progress on the action plan with re-  
14 spect to each such country to promote and achieve  
15 the transition to full democracy in such country; and  
16 (2) receive recommendations regarding further  
17 action that should be taken with respect to such  
18 plan.

19 (b) WORKING GROUP ON COUNTRIES IN TRANSI-  
20 TION.—Beginning in the year after the second Annual Re-  
21 port on Democracy required under section 102(b) is sub-  
22 mitted and not less than once each year thereafter, the  
23 Under Secretary of State for Global Affairs should also  
24 convene a working group under subsection (c) focused on  
25 the progress towards a fully democratic form of govern-

1   ance in each country designated as “partly democratic”  
2   in the most recent annual report that was designated as  
3   “nondemocratic” in any of the previous annual reports.

4       (c) MEMBERS OF WORKING GROUPS.—The working  
5   groups referred to in subsections (a) and (b) shall include  
6   officers and employees of the Department of State and  
7   appropriate representatives from other relevant govern-  
8   ment agencies, including the United States Agency for  
9   International Development, the Department of the Treas-  
10   ury, and the Department of Defense.

11       (d) CONSULTATIONS WITH CHIEFS OF MISSIONS.—  
12   The chief of mission for each country designated as non-  
13   democratic or partly democratic in the most recent Annual  
14   Report on Democracy shall meet with the Under Secretary  
15   of State for Global Affairs at least once each year to dis-  
16   cuss the transition to full democracy in such country, in-  
17   cluding any actions the chief of mission has taken to im-  
18   plement the action plan for such country included in such  
19   report.

20   **SEC. 105. ACTIVITIES BY THE UNITED STATES TO PROMOTE**  
21                   **DEMOCRACY AND HUMAN RIGHTS IN FOR-**  
22                   **EIGN COUNTRIES.**

23       (a) FREEDOM INVESTMENT ACT OF 2002.—The  
24   Freedom Investment Act of 2002 (subtitle E of title VI  
25   of Public Law 107–228) is amended—

(1) in Section 663(a), (relating to human rights activities at the Department of State)—

(A) in paragraph (1), by striking “and” at the end;

(B) by redesignating paragraph (2) as paragraph (4);

(C) by inserting after paragraph (1) the following new paragraphs:

“(2) a United States mission abroad in a country that has been designated as nondemocratic in the most recent Annual Report on Democracy (as required under section 102(b) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005) should have at least one political officer who shall have primary responsibility for monitoring and promoting democracy and human rights in such country;

“(3) the level of seniority of any such political officer should be in direct relationship to the severity of the problems associated with the establishment of full democracy and respect for human rights in such country; and”;

(D) in paragraph (4), as so redesignated, by striking “monitoring human rights developments” and all that follows through “rec-

1 commendation” and inserting the following:  
2 “monitoring and promoting democracy and  
3 human rights, including a political officer de-  
4 scribed in paragraphs (2) and (3), in a foreign  
5 country should be made after consultation with  
6 and upon the recommendation”; and

7 (2) in Section 665(c) (relating to reports on ac-  
8 tions taken by the United States to encourage re-  
9 spect for human rights), by striking the second sen-  
10 tence and inserting adding at the end the following  
11 new sentences: “If the Secretary elects to submit  
12 such information as a separate report, such report  
13 may be submitted as part of the Annual Report on  
14 Democracy required under section 102(b) of the Ad-  
15 vance Democratic Values, Address Nondemocratic  
16 Countries, and Enhance Democracy Act of 2005. If  
17 the Secretary makes such an election, such report  
18 shall be organized so as to contain a separate section  
19 for each country to which such information applies,  
20 together with a short narrative describing the  
21 extrajudicial killing, torture, or other serious viola-  
22 tions of human rights that are indicated to have oc-  
23 curred in each such country.”.

1 (b) FOREIGN ASSISTANCE ACT OF 1961.—The For-  
2 eign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is  
3 amended—

4 (1) in section 116(d) (22 U.S.C. 2151n(d)), by  
5 striking paragraph 10 and inserting the following  
6 new paragraph:

7 “(10) for each country with respect to which  
8 the report indicates that extrajudicial killings, tor-  
9 ture, or other serious violations of human rights  
10 have occurred in the country, a strategy, including  
11 a specific list of priorities and an action plan, to end  
12 such practices in the country, and any actions taken  
13 in the previous year to end such practices in the  
14 country.”; and

15 (2) in section 502B(b) (22 U.S.C. 2304(b)), by  
16 striking the sixth sentence and inserting the fol-  
17 lowing new sentence: “Such report shall also include,  
18 for each country with respect to which the report in-  
19 dicates that extrajudicial killings, torture, or other  
20 serious violations of human rights have occurred in  
21 the country, a strategy, including a specific list of  
22 priorities and an action plan, to end such practices  
23 in the country, and any actions taken in the previous  
24 year to end such practices in the country.”.

1 **SEC. 106. DEMOCRACY PROMOTION AND HUMAN RIGHTS**

2 **ADVISORY BOARD.**

3 (a) ESTABLISHMENT.—There is established a De-  
4 mocracy Promotion and Human Rights Advisory Board.

5 (b) PURPOSE AND DUTIES.—The Board shall advise  
6 and provide recommendations to the Secretary of State,  
7 the Under Secretary of State for Global Affairs, the As-  
8 sistant Secretary of State for Democracy, Human Rights,  
9 and Labor, and the Assistant Administrator for the Bu-  
10 reau of Democracy, Conflict and Humanitarian Assistance  
11 of the United States Agency for International Develop-  
12 ment concerning United States policies regarding the pro-  
13 motion of democracy and the establishment of universal  
14 democracy, including the following:

15 (1) Reviewing and making recommendations re-  
16 garding the overall United States strategy for pro-  
17 moting democracy and human rights in partly demo-  
18 cratic and nondemocratic countries, including meth-  
19 ods for incorporating the promotion of democracy  
20 and human rights into United States diplomacy, the  
21 use of international organizations to further United  
22 States democracy promotion goals, and ways in  
23 which the United States can work with other coun-  
24 tries and the Community of Democracies to further  
25 such purposes.

1           (2) Recommendations regarding specific strate-  
2           gies to promote democracy in countries categorized  
3           as nondemocratic in the most recent Annual Report  
4           on Democracy under section 102(b), in countries  
5           that are in a transition to democracy, and methods  
6           for consulting and coordinating with individuals (in-  
7           cluding expatriates) and nongovernmental organiza-  
8           tions that promote democratic principles, practices,  
9           and ideals.

10          (3) Recommendations regarding the use of—

11                (A) programs related to the promotion of  
12                democracy and human rights administered by  
13                the United States Agency for International De-  
14                velopment; and

15                (B) the Human Rights and Democracy  
16                Fund, established under section 664 of the  
17                Freedom Investment Act of 2002 (subtitle E of  
18                title VI of Public Law 107–228).

19          (4) Recommendations regarding regulations to  
20          be promulgated concerning—

21                (A) the standards of performance to be  
22                met by members of the Foreign Service, includ-  
23                ing chiefs of mission, under section 405(d) of  
24                the Foreign Service Act of 1980 (22 U.S.C.  
25                3965(d)); and

1 (B) the development of programs to pro-  
2 mote democracy in foreign countries under sec-  
3 tion 108, relating to programs undertaken by  
4 United States missions in foreign countries and  
5 the activities of chiefs of mission.

6 (c) STUDY ON DEMOCRACY ASSISTANCE.—

7 (1) IN GENERAL.—Not later than 18 months  
8 after the appointment of five members of the Board,  
9 the Board shall submit to the President, Congress,  
10 and the Secretary a study on United States democ-  
11 racy assistance.

12 (2) TRANSMITTAL.—Copies of the report shall  
13 be transmitted to the Under Secretary of State for  
14 Global Democracy, the Assistant Secretary of State  
15 for Democracy, Human Rights, and Labor, the  
16 Broadcasting Board of Governors, the Administrator  
17 of the United States Agency for International Devel-  
18 opment, the President of the National Endowment  
19 for Democracy, the President of the Center for  
20 International Private Enterprise, the President of  
21 the International Republican Institute, the President  
22 of the National Democratic Institute for Inter-  
23 national Affairs, and the President of the Free  
24 Trade Union Institute.

25 (3) CONTENTS.—The study shall include—



1 (A) a comprehensive review and an overall  
2 evaluation of the efficiency and effectiveness of  
3 United States appropriations for the promotion  
4 of democracy, including—

5 (i) information regarding the amount  
6 of money dedicated to such purpose each  
7 fiscal year;

8 (ii) an identification of the inter-  
9 national organizations, nongovernmental  
10 organizations, multilateral institutions, in-  
11 dividuals, private groups (including cor-  
12 porations and other businesses), and gov-  
13 ernment agencies and departments receiv-  
14 ing such funds for such purpose;

15 (iii) information regarding the effi-  
16 ciency and effectiveness of the use of such  
17 funds to promote a transition to democracy  
18 in nondemocratic countries with a special  
19 emphasis on activities related to the pro-  
20 motion of democracy under section 302(b),  
21 relating to the Human Rights and Democ-  
22 racy Fund; and

23 (iv) information regarding the effi-  
24 ciency and effectiveness of the use of such  
25 funds to promote and sustain democracy in

1 countries that are already fully democratic  
2 or partly democratic;

3 (B) a review of—

4 (i) the ability of the Broadcasting  
5 Board of Governors to provide 24-hour  
6 service seven days a week to all countries  
7 categorized as nondemocratic in the most  
8 recent Annual Report on Democracy and  
9 the influence such broadcasts may have on  
10 the views of citizens of such countries, in-  
11 cluding information relating to program-  
12 ming on the means of nonviolent protest  
13 and successful movements for democratic  
14 change in other countries around the  
15 world; and

16 (ii) the advisability of supporting pri-  
17 vate media sources that are not controlled  
18 or owned by the United States, including  
19 by providing grants, loans, or loan guaran-  
20 tees and by establishing a new entity that  
21 would manage such a program to promote  
22 a wider range of view that have no connec-  
23 tion to the United States;

24 (C) policy recommendations to the Presi-  
25 dent and Congress regarding ways to improve

1 United States programs for the promotion of  
2 democracy; and

3 (D) recommendations for reform of United  
4 States Government agencies involved in the pro-  
5 motion of democracy.

6 (d) MEMBERSHIP.—

7 (1) APPOINTMENT.—The Board shall be com-  
8 posed of nine members, who shall be citizens of the  
9 United States and who shall not be officers or em-  
10 ployees of the United States. The members shall be  
11 appointed as follows:

12 (A) Three members shall be appointed by  
13 the President.

14 (B) Three members shall be appointed by  
15 the Speaker of the House of Representatives, of  
16 whom two members shall be appointed upon the  
17 recommendation of the leader in the House of  
18 the political party that is not the political party  
19 of the President, and of whom one member  
20 shall be appointed upon the recommendation of  
21 the leader in the House of the other political  
22 party.

23 (C) Three members shall be appointed by  
24 the President pro tempore of the Senate, of  
25 whom two members shall be appointed upon the

1 recommendation of the leader in the Senate of  
2 the political party that is not the political party  
3 of the President, of whom one member shall be  
4 appointed upon the recommendation of the  
5 leader in the Senate of the other party.

6 (2) SELECTION AND VACANCIES.—Members of  
7 the Board shall be selected from among distin-  
8 guished individuals noted for their knowledge and  
9 experience in fields relevant to the issues to be con-  
10 sidered by the Board, including issues related to the  
11 promotion of democracy, international relations,  
12 management and organization of foreign assistance  
13 or comparable programs, methods and means of  
14 nonviolent protest, academic study and debate of de-  
15 mocracy, human rights, and international law. A va-  
16 cancy on the Board shall not affect its powers, but  
17 shall be filled in the manner in which the original  
18 appointment was made.

19 (3) TIME FOR APPOINTMENT.—The appoint-  
20 ment of members to the Board under paragraph (1)  
21 shall be made not later than 120 days after the date  
22 of the enactment of this Act.

23 (4) TERM OF SERVICE AND SUNSET.—Each  
24 member shall be appointed to the Board for a term  
25 that shall expire on the date that is one year after

1 the date of the submission of the report under sub-  
2 section (c). The Board shall terminate on the date  
3 that is one year after the date of the submission of  
4 the report under such subsection.

5 (5) SECURITY CLEARANCES.—The Secretary  
6 shall ensure that all members of the Board, and ap-  
7 propriate experts and consultants under paragraph  
8 (6)(H), obtain relevant security clearances in an ex-  
9 peditious manner.

10 (6) OPERATION.—

11 (A) CHAIRPERSON.—Not later than 15  
12 days after the completion of the appointment of  
13 all members to the Board under paragraph (1),  
14 the President shall appoint a chairperson for  
15 the Board from among the members.

16 (B) MEETINGS.—The Board shall meet at  
17 the call of the chairperson. The initial meeting  
18 of the Board shall be held not later than 30  
19 days after the appointment of the chairperson  
20 under subparagraph (A).

21 (C) QUORUM.—A majority of the members  
22 of the Board shall constitute a quorum to con-  
23 duct business, but the Board may establish a  
24 lesser quorum for conducting meetings sched-  
25 uled by the Board.

1           (D) RULES.—The Board may establish by  
2           majority vote any other rules for the operation  
3           of the Board under this paragraph, if such  
4           rules are not inconsistent with this Act or other  
5           applicable law.

6           (E) TRAVEL EXPENSES.—Members of the  
7           Board shall be allowed travel expenses, includ-  
8           ing per diem in lieu of subsistence, at rates au-  
9           thorized for employees of agencies under sub-  
10          chapter I of chapter 57 of title 5, United States  
11          Code, while away from their homes or regular  
12          places of business in the performance of service  
13          for the Board.

14          (F) OFFICE SPACE AND ADMINISTRATIVE  
15          ASSISTANCE.—Upon the request of the chair-  
16          person of the Board, the Secretary shall provide  
17          reasonable and appropriate office space, sup-  
18          plies, and administrative assistance.

19          (G) APPLICABILITY OF CERTAIN OTHER  
20          LAWS.—Nothing in this section shall be con-  
21          strued to cause the Board to be considered an  
22          agency or establishment of the United States,  
23          or to cause members of the Board to be consid-  
24          ered officers or employees of the United States.  
25          Executive branch agencies may conduct pro-

grams and activities and provide services in support of the activities duties of the Board, notwithstanding any other provision of law. The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

(H) EXPERTS AND CONSULTANTS.—The Board may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Board \$2,000,000 for each of fiscal years 2006, 2007, and 2008.

**SEC. 107. ESTABLISHMENT AND MAINTENANCE OF INTERNET SITE FOR GLOBAL DEMOCRACY AND HUMAN RIGHTS.**

(a) ESTABLISHMENT.—In order to facilitate access by individuals and nongovernmental organizations in foreign countries to documents, streaming video and audio, and other media regarding democratic principles, practices, and values, and the promotion and strengthening of democracy, the Secretary of State, in cooperation with the Under Secretary of State for Global Affairs, the Under Secretary for Public Diplomacy and Public Affairs, and the Assistant Secretary of State for Democracy, Human

1 Rights, and Labor, shall establish and maintain an Inter-  
2 net site for global democracy and human rights.

3 (b) CONTENTS.—The Internet site for global democ-  
4 racy established under subsection (a) shall contain the fol-  
5 lowing information:

6 (1) The Executive Summary prepared under  
7 section 102(b)(2)(A), but only to the extent that in-  
8 formation contained therein is not classified.

9 (2) The texts of the founding documents of the  
10 United States, including the Declaration of Inde-  
11 pendence, the Constitution, appropriate excerpts  
12 from the Federalist Papers, and other documents  
13 that the Under Secretary of State for Global Affairs  
14 determines appropriate.

15 (3) Selected texts of the founding documents of  
16 the leading democratic countries that the Under Sec-  
17 retary determines appropriate.

18 (4) Narratives and histories of significant  
19 democratic movements in foreign countries, particu-  
20 larly regarding successful nonviolent campaigns to  
21 oust dictatorships.

22 (5) Narratives relating to the importance of the  
23 establishment of and respect for fundamental free-  
24 doms.



1           (6) The annual Trafficking in Persons Report  
2           prepared by the Office to Monitor and Combat Traf-  
3           ficking in Persons of the Department of State.

4           (7) The annual International Religious Free-  
5           dom Report prepared by the Office of International  
6           Religious Freedom in the Bureau of Human Rights  
7           and Labor of the Department of State.

8           (8) The annual Country Reports on Human  
9           Rights Practices prepared by the Bureau of Human  
10          Rights and Labor of the Department of State.

11          (9) Any other documents, references, or links to  
12          external Internet sites the Secretary or Under Sec-  
13          retary determines appropriate, including reference to  
14          or links to training materials regarding successful  
15          movements in the past.

16          (c) TRANSLATION.—

17               (1) IN GENERAL.—The Secretary of State shall  
18               ensure that the relevant country specific sections of  
19               the Annual Report on Democracy and the country  
20               specific sections of the content described in para-  
21               graphs (7) through (9) of subsection (b) that relate  
22               to particular countries are translated into the prin-  
23               cipal languages of such countries and posted on the  
24               Internet website described in such subsection.

1           (2) DATE FOR POSTING.—Not later than 120  
2       days after the submission of the Annual Report on  
3       Democracy, the translations required by this sub-  
4       section shall be completed.

5   **SEC. 108. PROGRAMS BY UNITED STATES MISSIONS IN FOR-**  
6                   **EIGN COUNTRIES AND ACTIVITIES OF CHIEFS**  
7                   **OF MISSION.**

8       (a) DEVELOPMENT OF PROGRAMS TO PROMOTE DE-  
9       MOCRACY IN FOREIGN COUNTRIES.—The Secretary of  
10      State shall direct each chief of mission in each foreign  
11      country categorized as nondemocratic in the most recent  
12      Annual Report on Democracy to—

13           (1) develop, as part of annual program plan-  
14      ning, a strategy to promote democracy in the foreign  
15      country and to provide visible and material support  
16      to individuals and nongovernmental organizations in  
17      that country that are committed to democratic prin-  
18      ciples, practices, and values, such as—

19                   (A) consulting and coordinating with such  
20      individuals and organizations regarding the pro-  
21      motion of democracy;

22                   (B) visiting local landmarks and other  
23      local sites associated with nonviolent protest in  
24      support of democracy and freedom from oppres-  
25      sion;

1           (C) holding periodic public meetings with  
2           such individuals and organizations to discuss  
3           democracy and political, social, and economic  
4           freedoms;

5           (D) issuing public condemnation of severe  
6           violations of internationally recognized human  
7           rights (as such term is described in section  
8           116(a) of the Foreign Assistance Act of 1961  
9           (22 U.S.C. 2151n(a)), violations of religious  
10          freedom, including particularly severe violations  
11          of religious freedom (as such terms are defined  
12          in paragraphs (11) and (13) of section 3 of the  
13          International Religious Freedom Act of 1998  
14          (22 U.S.C. 6402)), political repression, and  
15          government-tolerated or condoned trafficking in  
16          persons; and

17          (E) providing technical, financial, and such  
18          other support to such individuals and organiza-  
19          tions;

20          (2) hold ongoing discussions with the leaders of  
21          the nondemocratic country regarding a transition to  
22          full democracy and the development of political, so-  
23          cial, and economic freedoms and respect for human  
24          rights, including freedom of religion or belief, in the  
25          country; and

1           (3) conduct meetings with civil society, inter-  
2       views with media that can directly reach citizens of  
3       such country, and discussions with students and  
4       young people of the nondemocratic country regard-  
5       ing a transition to democracy and the development  
6       of political, social, and economic freedoms in the  
7       country.

8       (b) PUBLIC OUTREACH IN FOREIGN COUNTRIES.—

9       Each chief of mission or principal officer should spend a  
10      substantial amount of time at universities and other insti-  
11      tutions of higher learning to—

12           (1) debate and discuss values and policies that  
13      promote democracy; and

14           (2) communicate, promote, and defend such  
15      United States values and policies.

16      (c) ACCESS TO UNITED STATES MISSIONS.—The

17      Secretary is authorized and encouraged to allow access to  
18      a United States diplomatic or consular mission in each  
19      foreign country categorized as partly democratic or non-  
20      democratic in the most recent Annual Report on Democ-  
21      racy by individuals and representatives of nongovern-  
22      mental organizations in that country who are committed  
23      to democratic principles, practices, and values in that  
24      country.

1 **SEC. 109. TRAINING FOR FOREIGN SERVICE OFFICERS.**

2 (a) TRAINING IN DEMOCRACY AND THE PROMOTION  
3 OF DEMOCRACY AND HUMAN RIGHTS.—Section 708 of  
4 the Foreign Service Act of 1980 (22 U.S.C. 4028) is  
5 amended by adding at the end the following new sub-  
6 section:

7 “(c) TRAINING ON GLOBAL DEMOCRACY PRO-  
8 MOTION.—

9 “(1) IN GENERAL.—In addition to the training  
10 required under subsections (a) and (b), the Sec-  
11 retary of State, in cooperation with other relevant  
12 officials, including the Under Secretary of State for  
13 Global Affairs, and the Director of the National  
14 Foreign Affairs Training Center of the Foreign  
15 Service Institute of the Department of State, shall  
16 establish as part of the training provided after De-  
17 cember 31, 2006, for members of the Service, in-  
18 cluding all chiefs of mission and deputy chiefs of  
19 mission, instruction in how to strengthen and pro-  
20 mote democracy through peaceful means in consulta-  
21 tion with individuals and nongovernmental organiza-  
22 tions that support democratic principles, practice  
23 and values. In particular, such instruction shall be  
24 mandatory for members of the Service having re-  
25 porting or other responsibilities relating to internal  
26 political developments and human rights, including

1 religious freedom, in nondemocratic or partly demo-  
2 cratic countries, including for chiefs of mission and  
3 deputy chiefs of mission, and shall be completed be-  
4 fore the time that such member or chief of mission  
5 assumes a post (or, if such is not practical, within  
6 the first year of assuming such post).

7 “(2) CONTENTS OF TRAINING.—The training  
8 required under paragraph (1) shall include instruc-  
9 tion, a training manual, and other materials regard-  
10 ing the following:

11 “(A) International documents and United  
12 States policy regarding electoral democracy and  
13 respect for human rights.

14 “(B) United States policy regarding the  
15 promotion and strengthening of democracy  
16 around the world, with particular emphasis on  
17 the transition to democracy in nondemocratic  
18 countries.

19 “(C) For any member, chief of mission, or  
20 deputy chief of mission who is to be assigned to  
21 a foreign country that is categorized as non-  
22 democratic in the Annual Report on Democracy  
23 required under section 102(b) of the Advance  
24 Democratic Values, Address Nondemocratic

Countries, and Enhance Democracy Act of  
2005, instruction regarding—

“(i) the status of political rights in  
such country;

“(ii) ways to promote democracy in  
such country including building relation-  
ships and consulting with individuals and  
nongovernmental organizations in such  
country that support democratic principles,  
practices, and values;

“(iii) providing technical, financial,  
and other support to individuals (including  
expatriated citizens) and nongovernmental  
organizations in such country that support  
democratic principles, practices, and val-  
ues;

“(iv) visiting local landmarks and  
other local sites associated with nonviolent  
protest in support of democracy and free-  
dom from oppression;

“(v) conducting discussions with the  
leaders of such country regarding—

“(I) a transition to full democ-  
racy;

1 “(II) political, social, and eco-  
2 nomic freedoms;

3 “(III) United States policy to  
4 promote democracy in foreign coun-  
5 tries; and

6 “(IV) the possibility that such  
7 leaders might voluntarily cede power;

8 “(vi) conducting discussions with the  
9 students and young people of such country  
10 regarding—

11 “(I) a transition to full democ-  
12 racy;

13 “(II) political, social, and eco-  
14 nomic freedoms; and

15 “(III) United States policy to  
16 promote democracy in foreign coun-  
17 tries;

18 “(vii) the methods of nonviolent action  
19 and the most effective manner to share  
20 such information with individuals and non-  
21 governmental organizations in such coun-  
22 try that support democratic principles,  
23 practices, and values; and

24 “(viii) the investigation and docu-  
25 mentation of violations of internationally



1 recognized human rights in coordination  
2 with nongovernmental human rights orga-  
3 nizations, violations of religious freedom,  
4 including particularly severe violations of  
5 religious freedom (as such terms are de-  
6 fined in paragraphs (11) and (13) of sec-  
7 tion 3 of the International Religious Free-  
8 dom Act of 1998 (22 U.S.C. 6402)), polit-  
9 ical repression, and government-tolerated  
10 or condoned trafficking in persons that  
11 occur in such country.

12 “(D) The protection of internationally rec-  
13 ognized human rights (including the protection  
14 of religious freedom) and standards related to  
15 such rights, provisions of United States law re-  
16 lated to such rights, the various aspects and  
17 manifestations of violations of such rights, dip-  
18 lomatic tools to promote respect for such rights,  
19 the protection of individuals who have fled their  
20 countries due to violations of such rights (in-  
21 cluding the role of United States embassies in  
22 providing access to the United States Refugee  
23 Admissions Program) and the relationship be-  
24 tween respect for such rights and democratic  
25 development and national security. The Direc-

1           tor of the National Foreign Affairs Training  
2           Center of the Foreign Service Institute of the  
3           Department of State shall consult with non-  
4           governmental organizations involved in the pro-  
5           tection and promotion of such rights and the  
6           United States Commission on International Re-  
7           ligious Freedom (established under section  
8           201(a) of the International Religious Freedom  
9           Act of 1998 (22 U.S.C. 6431(a)) in developing  
10          the training required by this subparagraph.”.

11       (b) OTHER TRAINING.—The Secretary of State shall  
12   ensure that the training described in subsection (a) is pro-  
13   vided to members of the civil service who are assigned in  
14   the United States or abroad who have reporting or other  
15   responsibilities relating to internal political developments  
16   and human rights in countries that are categorized as  
17   partly democratic or nondemocratic in the Annual Report  
18   on Democracy required under section 102(b) of the Ad-  
19   vance Democratic Values, Address Nondemocratic Coun-  
20   tries, and Enhance Democracy Act of 2005.

21       (c) AUTHORIZATION OF APPROPRIATIONS.—There  
22   are authorized to be appropriated such sums as may be  
23   necessary to develop appropriate programs and materials  
24   to accomplish the training required under subsection (c)

1 of section 708 of the Foreign Service Act of 1980 (22  
2 U.S.C. 4028), as added by subsection (a).

3 (d) CLERICAL AMENDMENTS.—Section 708 of the  
4 Foreign Service Act of 1980 is further amended—

5 (1) in subsection (a) by striking “(a) The” and  
6 inserting “(a) TRAINING ON HUMAN RIGHTS.—  
7 The”; and

8 (2) in subsection (b) by striking “(b) The” and  
9 inserting “(b) TRAINING ON REFUGEE LAW AND  
10 RELIGIOUS PERSECUTION.—The”.

11 **SEC. 110. PERFORMANCE PAY; PROMOTIONS; FOREIGN**  
12 **SERVICE AWARDS.**

13 (a) PERFORMANCE PAY.—Section 405(d) of the For-  
14 eign Service Act of 1980 (22 U.S.C. 3965(d)) is amended  
15 by inserting after the second sentence the following new  
16 sentence: “Meritorious or distinguished service in the pro-  
17 motion of democracy in foreign countries, including con-  
18 tact with and support of individuals and nongovernmental  
19 organizations that promote democracy in a foreign country  
20 categorized as nondemocratic in the most recent Annual  
21 Report on Democracy (as required under section 102(b)  
22 of the Advance Democratic Values, Address Nondemo-  
23 cratic Countries, and Enhance Democracy Act of 2005),  
24 shall also serve as a basis for granting awards under this  
25 section.”.

1       (b) PROMOTIONS.—Section 603(b) of the Foreign  
2 Service Act of 1980 (22 U.S.C. 4003(b)) is amended by  
3 adding at the end the following new sentence: “Precepts  
4 for selection boards shall also, where applicable, include  
5 an evaluation of whether members of the Service and  
6 members of the Senior Foreign Service have met the  
7 standards of performance established by the Secretary  
8 pursuant to section 110(c) of the Advance Democratic  
9 Values, Address Nondemocratic Countries, and Enhance  
10 Democracy Act of 2005, or have served in a position in  
11 which the primary responsibility is to monitor or promote  
12 democracy or human rights.”.

13       (c) REGULATIONS AND EVALUATIONS CONCERNING  
14 STANDARDS OF PERFORMANCE AND PROGRAMS TO PRO-  
15 MOTE DEMOCRACY.—With respect to members of the For-  
16 eign Service, including all chiefs of mission, who are as-  
17 signed to foreign countries categorized as nondemocratic  
18 in the most recent Annual Report on Democracy, the Sec-  
19 retary shall prescribe regulations concerning the standards  
20 of performance to be met under sections 405(d) and  
21 603(b) of the Foreign Service Act of 1980 (22 U.S.C.  
22 3965(d) and 4003(b)), as amended by subsections (a) and  
23 (b), respectively, and the development of programs to pro-  
24 mote democracy in foreign countries under section 108.  
25 The requirements of sections 108 and 109(a) shall serve

1 as one of the bases for performance criteria in evaluating  
2 chiefs of mission and those officers at posts so designated  
3 by the chief of mission.

4 (d) FOREIGN SERVICE AWARDS.—Section 614 of the  
5 Foreign Service Act of 1980 (22 U.S.C. 4013) is amended  
6 by adding at the end the following new sentence: “Distin-  
7 guished or meritorious service in the promotion of democ-  
8 racy in foreign countries, including contact with and sup-  
9 port of individuals and nongovernmental organizations  
10 that promote democracy in a foreign country categorized  
11 as nondemocratic in the most recent Annual Report on  
12 Democracy (as required under section 102(b) of the Ad-  
13 vance Democratic Values, Address Nondemocratic Coun-  
14 tries, and Enhance Democracy Act of 2005), shall also  
15 serve as a basis for granting awards under this section.”.

16 (e) CONGRESSIONAL DEMOCRACY AWARD.—

17 (1) ESTABLISHMENT.—There is established a  
18 Congressional Award for Outstanding Achievements  
19 in Advancing Democracy to be awarded to officers  
20 or employees of the Government of the United  
21 States. The Award shall be in addition to any other  
22 award issued by the Assistant Secretary for Democ-  
23 racy, Human Rights, and Labor for the promotion  
24 of human rights in such countries.

1           (2) SELECTION.—The Secretary of State shall  
2       establish procedures for selecting recipients of the  
3       Award. The criteria for selecting recipients of the  
4       Award shall include whether the candidate has made  
5       extraordinary efforts to promote democracy.

6           (3) FINANCIAL AWARD.—The recipient of the  
7       Award shall receive not less than \$5,000. Such sum  
8       shall be in addition to any other compensation re-  
9       ceived by the recipient. Amounts awarded shall be  
10      drawn from amounts appropriated to the Depart-  
11      ment of State.

12          (4) AWARD CEREMONY.—Congress shall host  
13      an annual awards ceremony for the recipient of the  
14      Award. Costs associated with travel by the recipient  
15      to the ceremony shall be paid by the United States.

16          (5) AUTHORIZATION OF APPROPRIATIONS.—  
17      There is authorized to be appropriated to the Sec-  
18      retary such sums as may be necessary to award the  
19      Award, including such sums as may be necessary to  
20      cover costs associated with the Award.

21 **SEC. 111. APPOINTMENTS.**

22          (a) APPOINTMENTS BY THE PRESIDENT.—Section  
23      302 of the Foreign Service Act of 1980 (22 U.S.C. 3942)  
24      is amended by adding at the end the following new sub-  
25      section:

1       “(c) If an individual (with respect to subsection (a))  
2 or a member of the Service (with respect to subsection  
3 (b)) is appointed by the President to be and if such indi-  
4 vidual or such member has previously served as a chief  
5 of mission of the United States in a country at the time  
6 such country was categorized as nondemocratic in an An-  
7 nual Report on Democracy (required under section 102(b)  
8 of the Advance Democratic Values, Address Non-Demo-  
9 cratic Countries, and Enhance Democracy Act of 2005,  
10 the President shall transmit to the Committee on Foreign  
11 Relations of the Senate a written report summarizing the  
12 actions that such individual or member took during the  
13 period of such prior service to promote democracy and  
14 human rights in such country, including actions in fur-  
15 therance of the action plan contained in such report.”.

16       (b) CHIEFS OF MISSION.—Section 304(a)(1) of such  
17 Act (22 U.S.C. 3944(a)(1)) is amended by adding at the  
18 end the following new sentence: “If the country in which  
19 the individual is to serve is categorized as nondemocratic  
20 in the most recent Annual Report on Democracy (as re-  
21 quired under section 102(b) of the Advance Democratic  
22 Values, Address Non-Democratic Countries, and Enhance  
23 Democracy Act of 2005), the individual should possess  
24 clearly demonstrated competence in and commitment to  
25 the promotion of democracy in that country, including

1 competence in promoting democratic practices, values, and  
 2 ideals through regular interaction with individuals, includ-  
 3 ing students and young people within that country, who  
 4 support and advocate such principles, practices, and val-  
 5 ues.”.

## 6 **TITLE II—ALLIANCES WITH** 7 **OTHER DEMOCRATIC COUN-** 8 **TRIES**

### 9 **SEC. 201. ALLIANCES WITH OTHER DEMOCRATIC COUN-** 10 **TRIES.**

11 (a) FINDING.—Congress finds that it is in the na-  
 12 tional interest of the United States, including for humani-  
 13 tarian, economic, social, political, and security reasons, to  
 14 forge alliances with democratic countries to work together  
 15 to promote and protect—

16 (1) shared democratic principles, practices, and  
 17 values; and

18 (2) political, social, and economic freedoms  
 19 around the world.

20 (b) PURPOSES.—The purposes of this title are to en-  
 21 courage new ways of forging alliances with democratic  
 22 countries in order to—

23 (1) promote and protect democratic principles,  
 24 practices, and values, including the right to free,



1 fair, and open elections, secret balloting, and uni-  
2 versal suffrage;

3 (2) promote and protect fundamental shared  
4 political, social, and economic freedoms, including  
5 the freedoms of association, of expression, of the  
6 press, of religion, and to own private property;

7 (3) promote and protect respect for the rule of  
8 law;

9 (4) develop, adopt, and pursue strategies to ad-  
10 vance common interests in international organiza-  
11 tions and multilateral institutions to which members  
12 of the alliance of democratic countries belong; and

13 (5) provide political, economic, and other nec-  
14 essary support to countries that are undergoing a  
15 transition to democracy.

16 (c) AUTHORIZATION.—The President is authorized to  
17 take such actions as the President determines to be nec-  
18 essary and appropriate to establish alliances with other  
19 democratic countries to achieve the purposes described in  
20 subsection (b).

21 (d) SENSE OF CONGRESS REGARDING PARTICIPA-  
22 TION.—It is the sense of Congress that any foreign coun-  
23 try that is categorized as nondemocratic in the most recent  
24 Annual Report on Democracy under section 102(b) should

1 not participate in any alliance of democratic countries  
2 aimed at working together to promote democracy.

3 **SEC. 202. SENSE OF CONGRESS REGARDING THE ESTAB-**  
4 **LISHMENT OF A DEMOCRACY CAUCUS.**

5 (a) FINDINGS.—Congress finds that with the passage  
6 of the Intelligence Reform and Terrorism Prevention Act  
7 of 2004 (Public Law 108–458), Congress—

8 (1) encouraged the establishment of a Democ-  
9 racy Caucus within the United Nations, the United  
10 Nations Human Rights Commission, the United Na-  
11 tions Conference on Disarmament, and at other  
12 broad-based international organizations; and

13 (2) required increased training in multilateral  
14 diplomacy for members of the Foreign Service and  
15 appropriate members of the Civil Service to support  
16 such an establishment.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-  
18 gress that the creation of a Democracy Caucus in each  
19 international organization and multilateral institution of  
20 which the United States is a member will not only improve  
21 the internal governance of such organizations but will also  
22 strengthen the implementation of commitments by such  
23 organizations and institutions regarding democracy and  
24 human rights.

1 **SEC. 203. ANNUAL DIPLOMATIC MISSIONS ON MULTILAT-**  
2 **ERAL ISSUES.**

3       The Secretary of State, acting through the principal  
4 officers responsible for advising the Secretary on inter-  
5 national organizations, shall ensure that a high level dele-  
6 gation from the United States is sent on an annual basis  
7 to consult with key foreign governments in every region  
8 to promote United States policies, including issues related  
9 to democracy and human rights, at key international fora,  
10 including the United Nations General Assembly, the  
11 United Nations Human Rights Commission, the Organiza-  
12 tion for Security and Cooperation in Europe, and the  
13 United Nations Education, Science, and Cultural Organi-  
14 zation.

15 **SEC. 204. STRENGTHENING THE COMMUNITY OF DEMOC-**  
16 **RACIES.**

17       (a) SENSE OF CONGRESS.—It is the sense of Con-  
18 gress that establishing a more formal structure for the  
19 Community of Democracies may eventually be necessary  
20 in the future, at which time the United States should  
21 guide and strongly support such a development. It is the  
22 sense of Congress that, if properly funded and supported,  
23 the Community of Democracies can achieve great success  
24 toward the global promotion of democratic principles,  
25 practices, and values.

1 (b) MEMBERSHIP AUTHORIZED.—The President is  
2 authorized to enter the United States into membership of  
3 the Community of Democracies if the Community should  
4 become an organization.

5 (c) REGIONAL GROUP IN THE COMMUNITY OF DE-  
6 MOCRACIES.—It is the sense of Congress that regional  
7 groups within the Community of Democracies should be  
8 established and strengthened in order to facilitate coordi-  
9 nation of common positions and action on multilateral  
10 strategies to promote and consolidate democracy.

11 (d) AUTHORIZATION OF APPROPRIATIONS.—

12 (1) MEMBERSHIP IN COMMUNITY OF DEMOC-  
13 RACIES.—There are authorized to be appropriated  
14 such sums as may be necessary to pay the assessed  
15 costs for membership of the United States in the  
16 Community of Democracies.

17 (2) COST OF HEADQUARTERS.—There is au-  
18 thorized to be appropriated to the Secretary of State  
19 \$5,000,000 for fiscal year 2006 for a grant or vol-  
20 untary contribution for the acquisition, refurbish-  
21 ment, or construction of a headquarters building for  
22 the Community of Democracies. Such funds may  
23 also be applied toward the costs of meetings and  
24 studies to formalize the location of such head-  
25 quarters, the costs of providing equipment for such

1       headquarters, and other logistical matters related to  
2       such headquarters. Amounts appropriated for these  
3       purpose are authorized to remain available until ex-  
4       pended.

5       (e) DEMOCRACY TRANSITION CENTER.—

6           (1) SENSE OF CONGRESS.—It is the sense of  
7       Congress that the United States should support the  
8       initiative of the Government of Hungary and the  
9       governments of other European countries to estab-  
10      lish a Democracy Transition Center to support tran-  
11      sitions to full democracy.

12          (2) AUTHORIZATION OF APPROPRIATIONS.—  
13      There is authorized to be appropriated to the Sec-  
14      retary of State for a grant or voluntary contribution  
15      to the Democracy Transition Center \$4,000,000 for  
16      fiscal year 2006, \$3,000,000 for fiscal year 2007,  
17      \$2,000,000 for fiscal year 2008, and \$1,000,000 for  
18      fiscal year 2009. Amounts appropriated under this  
19      paragraph shall remain available until expended.

20          (3) USE OF FUNDS.—Any grant or voluntary  
21      contribution made in fiscal year 2006 by the Sec-  
22      retary to the Democracy Transition Center under  
23      paragraph (2) may be used for the establishment  
24      and operations of the Center and for programs and  
25      activities of the Center. Any grant or voluntary con-

1       tribution made in any subsequent fiscal year by the  
2       Secretary to the Center under such paragraph may  
3       be used for programs and activities of the Center.

4           (4) PROGRAMS AND ACTIVITIES.—The pro-  
5       grams and activities of the Democracy Transition  
6       Center referred to in paragraph (3) are programs  
7       and activities that—

8           (A) develop, adopt, or pursue programs,  
9       campaigns, and tactics to promote the peaceful  
10      transition to democracy in nondemocratic coun-  
11      tries and, in addition, to work with countries  
12      that have gone through a transition to a partly  
13      democratic form of government in order to con-  
14      solidate and accelerate progress toward a fully  
15      democratic form of government;

16          (B) provide political, financial, and other  
17      necessary support to individuals and nongovern-  
18      mental organizations that promote democratic  
19      principles, practices, and values in each non-  
20      democratic country, including training in non-  
21      violent means of protest and resistance;

22          (C) support consultations with such indi-  
23      viduals and nongovernmental organizations in  
24      countries that are not fully democratic regard-  
25      ing the best approaches to assist such countries

1 to make the transition to a fully democratic  
2 form of government;

3 (D) establish a dialogue with the leaders of  
4 each nondemocratic country to discuss demo-  
5 cratic principles, practices, and values, funda-  
6 mental freedoms and human rights, and the  
7 possibility of such leaders voluntarily initiating  
8 a transition to democracy;

9 (E) educate and train diplomats, military  
10 attaches, and other appropriate individuals  
11 from member countries of the Community of  
12 Democracies in the means to promote democ-  
13 racy within host countries that are nondemo-  
14 cratic; and

15 (F) undertake any other appropriate or  
16 necessary actions that are compatible with the  
17 mission and goal of the Center.

18 **SEC. 205. FUNDING FOR NONGOVERNMENTAL ORGANIZA-**  
19 **TIONS SUPPORTING A COMMUNITY OF DE-**  
20 **MOCRACIES.**

21 (a) GRANTS.—The Secretary of State is authorized  
22 to make grants to United States nongovernmental organi-  
23 zations which have experience with the Community of De-  
24 mocracies to assist the Community of Democracies and  
25 its Convening Group to plan its interim and annual con-

1 ferences and other related activities with a focus on issues  
2 related to the promotion of transitions to and consolida-  
3 tion of democracy.

4 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
5 authorized to be appropriated to the Secretary such sums  
6 as may be necessary to carry out this section.

7 **SEC. 206. REPORTS.**

8 (a) ANNUAL REPORT ON THE STATUS OF DEMO-  
9 CRATIC ALLIANCES OF THE UNITED STATES.—Not later  
10 than October 1 of each year, the Secretary of State, in  
11 coordination with the Under Secretary of State for Global  
12 Affairs, the Assistant Secretary of State for Democracy,  
13 Human Rights, and Labor, and appropriate international  
14 organizations, shall submit to the appropriate congres-  
15 sional committees an Annual Report on the Status of  
16 Democratic Alliances of the United States. Each Annual  
17 Report shall contain the following information:

18 (1) An evaluation of the efforts undertaken by  
19 the United States to establish a caucus of demo-  
20 cratic countries in international organizations, multi-  
21 lateral institutions, and related bodies within such  
22 organizations and institutions.

23 (2) An evaluation of efforts undertaken by the  
24 United States to encourage a more formal frame-



1 work for the Community of Democracies, including  
2 the creation of supporting institutions.

3 (3) An evaluation of the efforts undertaken by  
4 the United States to establish the Democracy Tran-  
5 sition Center.

6 (4) An evaluation of any other efforts under-  
7 taken by the United States in furtherance of demo-  
8 cratic alliances or cooperation with democratic coun-  
9 tries to promote universal democracy.

10 (5) An evaluation of the efforts undertaken by  
11 other democratic states belonging to the Community  
12 of Democracies in furtherance of advancing democ-  
13 racy around the world, including through the Com-  
14 munity of Democracies, relevant bodies of the  
15 United Nations, democracy caucuses, regional orga-  
16 nizations, and bilateral policies and foreign assist-  
17 ance.

18 (b) REPORT REGARDING ELECTION TO A LEADER-  
19 SHIP POST IN INTERNATIONAL ORGANIZATIONS, MULTI-  
20 LATERAL INSTITUTIONS, OR BODIES THEREOF.—In the  
21 event of an election or rotation of any country, or rep-  
22 resentative of any country, to a leadership position in an  
23 international organization or multilateral institution (or  
24 related body thereof) with a mandate to vote on issues  
25 related to democracy and human rights, if such country

1 is subject to a determination by the Secretary under sec-  
 2 tion 620A of the Foreign Assistance Act of 1961 (22  
 3 U.S.C. 2371), section 40 of the Arms Export Control Act  
 4 (22 U.S.C. 2780), or section 6(j) of the Export Adminis-  
 5 tration Act of 1979 (50 U.S.C. 2405(j)), or if such coun-  
 6 try is categorized as nondemocratic in the most recent An-  
 7 nual Report on Democracy under section 102(b), the Sec-  
 8 retary of State shall, not later than 15 days after such  
 9 election or rotation, notify the appropriate congressional  
 10 committees of such election or rotation and submit a clas-  
 11 sified report evaluating any steps or actions taken by the  
 12 United States to prevent such election or rotation and rec-  
 13 ommendations for appropriate further steps or actions.

## 14 **TITLE III—FUNDING FOR** 15 **PROMOTION OF DEMOCRACY**

### 16 **SEC. 301. POLICY.**

17 It shall be the policy of the United States to provide  
 18 financial assistance to eligible entities and eligible individ-  
 19 uals in order to assist such entities and individuals in the  
 20 promotion of democracy in countries categorized as non-  
 21 democratic in the most recent Annual Report on Democ-  
 22 racy under section 102(b).

### 23 **SEC. 302. HUMAN RIGHTS AND DEMOCRACY FUND.**

24 (a) FINDINGS.—

1           (1) The Human Rights and Democracy Fund,  
2           established under section 664 of the Freedom In-  
3           vestment Act of 2002 (subtitle E of title VI of Pub-  
4           lic Law 107–228) provides critical support for  
5           unique projects that promote democracy and human  
6           rights in foreign countries of strategic significance to  
7           the United States.

8           (2) Support for such projects underscores the  
9           commitment of the United States to—

10                   (A) promote democracy and human rights;

11                   and

12                   (B) fight against terrorism.

13           (3) Funds allocated to the Human Rights and  
14           Democracy Fund for fiscal years 2000, 2001, 2002,  
15           and 2003 have been \$9,000,000, \$13,421,000,  
16           \$13,000,000 and \$31,448,000, respectively.

17           (4) Additional funding for the Human Rights  
18           and Democracy Fund is in the national interests of  
19           the United States.

20           (b) PURPOSES OF THE HUMAN RIGHTS AND DEMOC-  
21 RACY FUND.—In addition to uses currently approved for  
22 the Human Rights and Democracy Fund, the Secretary  
23 of State, acting through the Assistant Secretary of State  
24 for Democracy, Human Rights, and Labor shall use  
25 amounts appropriated to the Human Rights and Democ-

1 racy Fund under subsection (g) to provide assistance to  
2 eligible entities and eligible individuals to promote democ-  
3 racy in foreign countries categorized as nondemocratic in  
4 the most recent Annual Report on Democracy under sec-  
5 tion 102(b). The promotion of democracy in such coun-  
6 tries for which such assistance may be provided may in-  
7 clude the following activities:

8           (1) The publication and distribution of books  
9           and the creation and distribution of other media, in-  
10          cluding audio and video cassettes, compact discs and  
11          digital video discs, and other audio and video publi-  
12          cations, and the purchase and distribution of any  
13          equipment needed to review such books and other  
14          media. Such books and other media should include—

15                (A) factual news and related information  
16                about current and relevant events and develop-  
17                ments in such country and elsewhere in the  
18                world; and

19                (B) educational programming designed to  
20                provide information regarding democracy, the  
21                rule of law, free, fair and open elections, free  
22                market economics, fundamental human rights  
23                (including the rights of freedom of speech and  
24                of religion and the rights to be free from slav-

1           ery and bondage), and successful democratic  
2           movements in history.

3           (2) The translation into languages spoken in  
4           such countries of relevant programming and existing  
5           books, videos, and other publications relating to the  
6           subjects specified in subparagraphs (A) and (B) of  
7           paragraph (1).

8           (3) The promotion of political pluralism within  
9           such countries, including the promotion of non-  
10          governmental organizations and movements that  
11          promote democratic principles, practices, and values.

12          (4) The promotion of the rule of law and the  
13          protection of minorities.

14          (5) The creation of educational programs for  
15          leaders and members of democratic movements to  
16          convey information to such individuals regarding the  
17          means of nonviolent force and the methods of non-  
18          violent action.

19          (6) The creation of programs for student  
20          groups to work with citizens of such countries who  
21          are committed to democratic reforms and to the pro-  
22          motion of a transition to democracy.

23          (7) The production and distribution of mate-  
24          rials that promote and celebrate democracy and the  
25          equipment needed to produce such materials.

1           (8) The creation of cultural exchanges between  
2       citizens of such countries and citizens of the United  
3       States.

4           (9) The creation of projects to strengthen the  
5       parliaments and parliamentary staff in such coun-  
6       tries.

7           (10) The creation of programs to ensure trans-  
8       parency and accountability for government revenues  
9       and expenditures, with particular emphasis on reve-  
10      nues derived from extractive industries.

11          (11) The creation of training programs for citi-  
12      zens of such countries concerning international legal  
13      obligations to support democracy and human rights,  
14      including religious freedom.

15          (12) Any other activities related to the pro-  
16      motion of democracy or the transition of such coun-  
17      tries to democracy that the Under Secretary of State  
18      for Global Affairs determines appropriate.

19      (c) FREEDOM INVESTMENT ACT OF 2002.—Section  
20      664(b) of the Freedom Investment Act of 2002 (subtitle  
21      E of title VI of Public Law 107–228, relating to the pur-  
22      poses of the Human Rights and Democracy Fund) is  
23      amended—

24           (1) in paragraph (4), by striking “and” at the  
25      end;

1           (2) by redesignating paragraph (5) as para-  
2       graph (6);

3           (3) by inserting after paragraph (4) the fol-  
4       lowing new paragraph:

5           “(5) to support the study of democracy abroad,  
6       including support for debates and discussions at aca-  
7       demic institutions, regarding the values and benefits  
8       of democracy; and”; and

9           (4) in paragraph (6), as redesignated by para-  
10      graph (2) of this subsection, by striking “(4)” and  
11      inserting “(5)”.

12      (d)   ADMINISTRATIVE    AUTHORITIES.—Assistance  
13   provided through the Human Rights and Democracy Fund  
14   may be provided to eligible entities and eligible individuals  
15   in foreign countries notwithstanding any provisions of law  
16   that prohibit assistance to a foreign country or to a gov-  
17   ernment of a foreign country.

18      (e)   ANNUAL   REPORT   ON   THE   STATUS   OF   THE  
19   HUMAN   RIGHTS   AND   DEMOCRACY   FUND.—Within 60  
20   days of the conclusion of each fiscal year, the Assistant  
21   Secretary of State for Democracy, Human Rights, and  
22   Labor shall submit to the appropriate congressional com-  
23   mittees an annual report on the status of the Human  
24   Rights and Democracy Fund. Each such annual report  
25   shall contain the following information:

1           (1) An identification of each eligible entity and  
2           eligible individual who received assistance during the  
3           previous fiscal year under subsection (b) and a sum-  
4           mary of the activities of each such recipient.

5           (2) An account of projects funded and outside  
6           contributions received during the previous fiscal  
7           year.

8           (3) A balance sheet of income and outlays cur-  
9           rent as of the conclusion of fiscal year to which such  
10          report is relevant.

11         (f) AUTHORIZATION OF APPROPRIATIONS.—

12           (1) IN GENERAL.—There are authorized to be  
13           appropriated to the Human Rights and Democracy  
14           Fund to carry out the purposes of this section  
15           \$100,000,000 for fiscal year 2006 and  
16           \$150,000,000 for fiscal year 2007. Amounts appro-  
17           priated under this section shall remain available  
18           until expended.

19           (2) ADMINISTRATIVE EXPENSES.—Not more  
20           than five percent of amounts appropriated to the  
21           Human Rights and Democracy Fund for each fiscal  
22           year may be applied toward administrative expenses  
23           of the carrying out this section.

24           (3) CONTRIBUTIONS.— The Secretary may ac-  
25           cept contributions to the Human Rights and Democ-



1 racy Fund from the governments of other demo-  
2 cratic countries, private foundations, private citizens,  
3 and other nongovernmental sources.

4 **TITLE IV—SUPPORT FOR SPE-**  
5 **CIAL AND REGIONAL INITIA-**  
6 **TIVES**

7 **SEC. 401. FINDINGS.**

8 Congress finds the following:

9 (1) The Helsinki Final Act of 1975 of the Con-  
10 ference on Security and Cooperation in Europe (1  
11 August 1975) and the Helsinki Process empowered  
12 democrats living in nondemocratic countries to orga-  
13 nize and insist that the governments of such coun-  
14 tries honor the commitments to economic and  
15 human rights that such governments had pledged.  
16 These local democrats and the Helsinki Process  
17 played a fundamental role in bringing about the  
18 peaceful end to the communist dictatorships of East-  
19 ern Europe.

20 (2) Since 1975, Algeria, Egypt, Israel, Jordan,  
21 Morocco, and Tunisia have been “Mediterranean  
22 Partners for Cooperation” with the Organization for  
23 Security and Cooperation in Europe.

24 (3) Conferences regarding security and coopera-  
25 tion in the regions of Africa, Asia, and the Middle

1 East present an opportunity to establish an agree-  
2 ment concerning organizing principles and processes  
3 to guide the countries of these regions in the transi-  
4 tion to greater security, prosperity, justice, and free-  
5 dom.

6 (4) At the Second Ministerial Conference of the  
7 Community of Democracies in Seoul, South Korea,  
8 all participating governments endorsed the impor-  
9 tance of furthering democracy through the formation  
10 of regional groups and initiatives. United States sup-  
11 port for this regional approach would have a bene-  
12 ficial impact on the promotion of democracy in non-  
13 democratic countries.

14 **SEC. 402. SENSE OF CONGRESS REGARDING SUPPORT FOR**  
15 **REGIONAL INITIATIVES.**

16 It is the sense of Congress that the President, acting  
17 through the Secretary of State, the Under Secretary of  
18 State for Global Affairs, and relevant United States chiefs  
19 of mission, should support the efforts of countries and  
20 groups in the regions of the Mediterranean, the Middle  
21 East, Asia, and Africa to organize regional processes simi-  
22 lar to the Helsinki Process to promote better relations  
23 among each other and among the other countries of the  
24 world, to promote peaceful relations, to strengthen re-

1 gional security, and to promote fundamental rights and  
2 political, economic, and social progress.

## 3 **TITLE V—PRESIDENTIAL** 4 **ACTIONS**

### 5 **SEC. 501. DESCRIPTION OF PRESIDENTIAL ACTIONS.**

6 (a) AUTHORIZATION.—With respect to a foreign  
7 country categorized as nondemocratic in the most recent  
8 Annual Report on Democracy under section 102(b), the  
9 President is authorized to—

10 (1) issue a private or public demarche to, or a  
11 public condemnation of, the government or any offi-  
12 cial of the government of such country;

13 (2) issue a public condemnation within one or  
14 more multilateral fora to the government or any offi-  
15 cial of the government of such country;

16 (3) recall the chief of mission to such country;

17 (4) investigate, block during the pendency of an  
18 investigation, regulate, direct and compel, nullify,  
19 void, prevent, or prohibit any acquisition, holding,  
20 withholding, use, transfer, withdrawal, transpor-  
21 tation, importation or exportation of, or dealing in,  
22 or exercising any right, power, or privilege with re-  
23 spect to, or transactions involving, any property sub-  
24 ject to the jurisdiction of the United States in which

1 the government of such country or any official of the  
2 government of such country has any interest;

3 (5) instruct, through the Secretary of the  
4 Treasury, the United States executive directors to  
5 each international financial institution to vote  
6 against and actively oppose any extension by the re-  
7 spective institution of any loan, credit, or guarantee  
8 to or for the benefit of the government, or any speci-  
9 fied official of the government, of such country;

10 (6) direct the Overseas Private Investment Cor-  
11 poration, and the Trade and Development Agency,  
12 as appropriate, to not approve the issuance of any  
13 (or a specified number of) guarantees, insurance, ex-  
14 tensions of credit, or participations in the extension  
15 of credit for the benefit of or with respect to the  
16 government, or any specified official of the govern-  
17 ment, of such country;

18 (7) prohibit the United States from procuring,  
19 or entering into any contract for the procurement of,  
20 any goods or services from any specified official of  
21 the government of such country;

22 (8) order the heads of appropriate United  
23 States agencies to not issue any (or a specified num-  
24 ber of) specific licenses, and to not grant any other  
25 specific authority (or a specified number of authori-

ties), to export any goods or technology to any specified official of the government of such country, or to any other specified resident of such country, under—

(A) the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.);

(B) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(C) the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.); or

(D) any other Federal law that requires the prior review and approval of the United States as a condition for the export or reexport of goods or services; and

(9) consistent with section 212(f) of the Immigration and Nationality Act (8 U.S.C 1182(f)), deny entry into the United States of any specified alien who—

(A) is an official of the government of such country; or

(B) is a spouse, minor child, or agent of such an official.

(b) NO EFFECT ON EXISTING LAW.—The encouragement to Presidential action provided under this section is

1 in addition to and shall not supersede United States obli-  
2 gations under domestic law or international agreement.

3 (c) REGULATIONS.—The President may issue such  
4 regulations, including regulations prescribing definitions,  
5 as may be necessary for the exercise of the actions de-  
6 scribed in this section.

7 **SEC. 502. INVESTIGATION OF VIOLATIONS OF INTER-**  
8 **NATIONAL HUMANITARIAN LAW.**

9 (a) IN GENERAL.—The President, with the assist-  
10 ance of the Secretary of State, the Under Secretary of  
11 State for Global Affairs, and the Ambassador-at-Large for  
12 War Crimes Issues, shall collect information regarding in-  
13 cidents that may constitute crimes against humanity,  
14 genocide, slavery, or other violations of international hu-  
15 manitarian law by leaders or other government officials  
16 of foreign countries categorized as nondemocratic in the  
17 most recent Annual Report on Democracy under section  
18 102(b).

19 (b) REPORT.—Not later than January 15 of each  
20 year, the President, acting through the Secretary, with the  
21 assistance of the Under Secretary of State for Global Af-  
22 fairs and the Ambassador-at-Large for War Crimes  
23 Issues, shall submit to the appropriate congressional com-  
24 mittees a report concerning the information collected

1 under subsection (a) and any findings, determinations, or  
2 recommendations made on the basis of such information.

3 (c) ACCOUNTABILITY.—The President shall consider  
4 what actions can be taken to ensure that the leaders or  
5 other government officials of foreign countries who are  
6 identified in accordance with subsection (a) as responsible  
7 for crimes against humanity, genocide, slavery, or other  
8 violations of international humanitarian law are brought  
9 to account for such crimes in an appropriately constituted  
10 tribunal.

11 (d) LIMITATION ON DISCLOSURE.—Nothing con-  
12 tained in this section shall require the disclosure, on a  
13 classified or unclassified basis, of information that the  
14 President determines would jeopardize sensitive sources  
15 and methods or other national security interests of the  
16 United States.

17 **SEC. 503. PRESIDENTIAL COMMUNICATIONS.**

18 (a) FINDING.—Congress finds that direct commu-  
19 nications from the President to citizens of countries that  
20 are categorized as nondemocratic in the most recent An-  
21 nual Report on Democracy would be extremely beneficial  
22 to demonstrate that the United States supports such citi-  
23 zens and the efforts and actions of such citizens to pro-  
24 mote and achieve transition to democracy in such coun-  
25 tries.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that—

3 (1) from time to time as the President shall de-  
4 termine appropriate, the President should broadcast  
5 a message to the citizens of countries categorized as  
6 nondemocratic in the most recent Annual Report on  
7 Democracy under section 102(b) expressing the sup-  
8 port of the United States for such citizens, dis-  
9 cussing democratic principles, practices, and values,  
10 and political, social, and economic freedoms, and  
11 condemning violations of internationally recognized  
12 human rights (as such term is described in section  
13 116(a) of the Foreign Assistance Act of 1961 (22  
14 U.S.C. 2151n(a))), violations of religious freedom,  
15 including particularly severe violations of religious  
16 freedom (as such terms are defined in paragraphs  
17 (11) and (13) of section 3 of the International Reli-  
18 gious Freedom Act of 1998 (22 U.S.C. 6402)), polit-  
19 ical repression, and government-tolerated or con-  
20 doned trafficking in persons that occur in such coun-  
21 try; and

22 (2) the President should encourage leaders of  
23 other democratic countries to make similar broad-  
24 casts.



1   **TITLE VI—NATIONAL SECURITY**  
2                           **COUNCIL**

3   **SEC. 601. SPECIAL ASSISTANT ON NONDEMOCRATIC COUN-**  
4                           **TRIES.**

5           Section 101 of the National Security Act of 1947 (50  
6   U.S.C. 402) is amended—

7                   (1) by redesignating the second subsection (i),  
8           as added by section 301 of the International Reli-  
9           gious Freedom Act of 1998 (Public Law 105–292),  
10          as subsection (k); and

11                   (2) by adding at the end the following new sub-  
12          section:

13          “(l) It is the sense of Congress that there should be  
14   within the staff of the National Security Council a Special  
15   Assistant to the President on Nondemocratic Countries  
16   and Transition to Democracy whose position should be  
17   comparable to that of a senior director within the Execu-  
18   tive Office of the President. The Special Assistant should  
19   serve as liaison with the Under Secretary of State for  
20   Global Affairs, Congress and, as advisable, nongovern-  
21   mental organizations committed to the promotion of de-  
22   mocracy. The Special Assistant should serve as a resource  
23   for executive branch officials to—

24                   “(1) compile and maintain information on the  
25          facts and circumstances of actions by the leaders of

1       nondemocratic countries and any threats to national  
2       and global security posed by such countries;

3               “(2) support interagency meetings either at the  
4       Deputy or Assistant Secretary level to discuss—

5               “(A) the promotion of democracy;

6               “(B) the protection of human rights; and

7               “(C) individualized strategies for the pro-  
8       motion of democracy in nondemocratic and  
9       partly democratic countries;

10              “(3) facilitate transition to a fully democratic  
11       form of government for countries that are partly  
12       democratic; and

13              “(4) make policy recommendations.”.

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